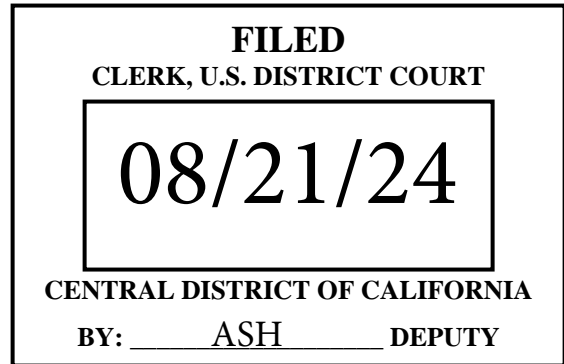


TODD R. G. HILL  
41459 Almond Avenue  
Quartz Hill, CA 93551  
+1 (661) 899-8899  
Email: [toddryangregoryhill@gmail.com](mailto:toddryangregoryhill@gmail.com)  
IN PRO PER



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA,  
WESTERN DIVISION**

TODD R. G. HILL, pro se,	)	Case No.: 2:23-CV-01298-JLS-BFM
	)	The Hon. Josephine L. Staton
	)	Courtroom 8A, 8th Floor
Plaintiff(s),	)	Magistrate Judge Brianna Fuller Mircheff
	)	Courtroom 780, 7th Floor
vs.	)	<b>DEMAND FOR JURY TRIAL</b>
THE BOARD OF DIRECTORS, OFFICERS	)	<b>Unlimited Civil Case</b>
AND AGENTS AND INDIVIDUALS OF THE	)	<b>THIRD AMENDED COMPLAINT FOR</b>
PEOPLES COLLEGE OF LAW; THE GUILD	)	<b>DAMAGES, DECLARATORY &amp;</b>
LAW SCHOOL, a CALIFORNIA	)	<b>INJUNCTIVE RELIEF ARISING FROM:</b>
CORPORATION doing business as THE	)	I. EQUAL PROTECTION VIOLATION
PEOPLES COLLEGE OF LAW; CHRISTINA	)	UNDER THE 14TH AMENDMENT
MARIN GONZALEZ, ESQ.; HECTOR C.	)	II. VIOLATION OF THE UNRUH CIVIL
PENA; ROBERT IRA SPIRO, ESQ.; JUAN	)	RIGHTS ACT (CALIFORNIA CIVIL CODE
MANUEL SARINANA, ESQ.; PREM SARIN;	)	§ 51)
DAVID TYLER BOUFFARD; JOSHUA	)	III. TITLE VI OF THE CIVIL RIGHTS ACT
	)	OF 1964 - RACIAL DISCRIMINATION IN
	)	EDUCATION
	)	IV. RICO - DAMAGES UNDER
	)	RACKETEER INFLUENCED AND
	)	CORRUPT ORGANIZATIONS ACT

GILLENS, ESQ.; CLEMENTE FRANCO, ) V. CONSPIRACY  
ESQ.; HECTOR SANCHEZ; PASCUAL ) VI. NEGLIGENCE AND NEGLIGENCE  
TORRES, ESQ.; CAROL DEUPREE; GARY ) PER SE  
SILBIGER, ESQ.; EDITH POMPOSO; ) VII. NEGLIGENT HIRING, RETENTION,  
ADRIANA ZUNIGA NUNEZ; ROGER ) AND SUPERVISION  
ARAMAYO; WILLIAM MAESTAS, ESQ.; ) VIII. VIOLATION OF TITLE IX OF THE  
ISMAEL VENEGAS; LOUISA ) EDUCATION AMENDMENTS OF 1972  
AYRAPETYAN; NATALIE LEONARD; ) (20 U.S.C. § 1681)  
LEAH WILSON, ESQ.; BRANDON N. )  
STALLINGS, ESQ.; RUBEN DURAN, ESQ.; )  
HAILYN CHEN, ESQ.; AUDREY CHING, )  
ESQ.; MELANIE M. SHELBY; ARNOLD )  
SOWELL, JR.; MARK W. TONEY, PH.D.; )  
PAUL A. KRAMER, ESQ.; JEAN )  
KRASILNIKOFF, ESQ.; ELLIN DAVTYAN; )  
GEORGE S. CARDONA, ESQ.; DEVAN )  
MCFARLAND; ENRIQUE ZUNIGA, ESQ., )

Defendant(s).

**I.  
PARTIES**

1. PLAINTIFF. Plaintiff Todd R.G. Hill (“Plaintiff” or “Todd”) is an African American adult residing in Quartz Hill, California, with an ADA-recognized disability.

2. DEFENDANTS:

- 1 3. Peoples College of Law (“PCL”) is an unaccredited fixed-facility law school in Los  
2 Angeles, California, subject to regulation by the State Bar of California. PCL offered  
3 services to in-state and out-of-state students via the Internet.
- 4 4. Christina Marin Gonzalez, Esq. (“Gonzalez”) was the President of PCL and is a PCL  
5 graduate.
- 6 5. Hector C. Pena (“Pena”) is a PCL graduate and has served as President and Board Treasurer.
- 7 6. Robert Ira Spiro, Esq. (“Spiro”) was the Dean of PCL and has served in various roles,  
8 including corporate counsel.
- 9 7. Juan Manuel Sarinana, Esq. (“Sarinana”) was an adjunct professor and Dean of PCL.
- 10 8. Prem Sarin (“Sarin”) based on personal experience and credible report is an individual and  
11 PCL graduate who has served as a PCL Board Member from November 2021 and times  
12 relevant to this matter.
- 13 9. David Tyler Bouffard (“Bouffard”) based on information and belief has served as a PCL  
14 Board Member from November 2021 and times relevant to this matter.
- 15 10. Joshua Gillens, Esq. (“Gillins”) based on information and belief is an individual and PCL  
16 graduate who has served as a PCL Board Member from November 2021 to the present.
- 17 11. Clemente Franco, Esq. (“Franco”) based on information and belief has served as a PCL  
18 Board Member from November 2021 to the present and is the acting Treasurer.
- 19 12. Hector Sanchez (“Sanchez”) based on information and belief has past served as a PCL  
20 Board Member and has engaged in conduct relevant here from November 2021 to the  
21 present.
- 22 13. Pascual Torres, Esq. (“Torres”) based on credible report is an individual associated with PCL  
23 having served as Dean of the law school for a brief tenure in 2022.
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1 14. Carol Deupree (“Deupree”) based on experience and credible report has served as a PCL  
2 Board Member from November 2021 to the present.

3 15. Gary Silbiger, Esq. (“Silberger”) based on information and belief is a co-founder of PCL  
4 who has served as a Board Member at various times from 2018 to the present.

5 16. Edith Pomposo, (“Pomposo”) is an individual associated with PCL. Pomposo has served as  
6 Dean of the law school since February 2022.

7 17. Adriana Zuniga Nunez (Zuniga) is an individual associated with PCL in her former capacity  
8 as PCL's paid Registrar.

9 18. Roger Aramayo (“Aramayo”) is an individual associated with PCL in his capacity as PCL's  
10 paid Registrar since June 2023.

11 19. William Maestas, Esq. (“Maestas”) based on information and belief is a co-founder and  
12 graduate of PCL. Maestas has served as a Board Member at various times from at least 2018  
13 to the present.

14 20. Ismael Venegas (“Venegas”) is an individual associated with PCL in his capacity as PCL's  
15 Treasurer based on personal experience and credible evidence.

16 21. The following are current or former employees or affiliates of the State Bar of California  
17 (“State Bar”) named as Defendants in their individual capacities:

18 22. Louisa Ayrapetyan (“Ayrapetyan”) is the Secretary for the Executive Director and Board of  
19 Trustees of the State Bar.

20 23. Natalie Leonard (“Leonard”) is an active licensee and Principal Program Analyst at the State  
21 Bar of California, responsible for law school regulation and was the primary contact for PCL  
22 compliance issues.

23 24. Leah Wilson, Esq. (“Wilson”) is an active licensee and individual employed as the Executive  
24 Director of the State Bar.



1 25. Brandon N. Stallings (“Stallings”) is an active licensee and Supreme Court Appointee and  
2 current Chair of the State Bar Board of Trustees.

3 26. Ruben Duran, Esq. (“Duran”) is an active licensee and market participant in the legal  
4 services trade. Duran also provided legal services to the State Bar as a corporate officer and  
5 Chair of the Board of Trustees.

6  
7 27. Hailyn Chen (“Chen”) is an active licensee and Supreme Court Appointee and Attorney  
8 Member of the State Bar Board of Trustees.

9 28. Audrey Ching (“Ching”) is an active licensee and Director of the Office of Admissions of  
10 the State Bar and is responsible for law school regulation and staff oversight.

11 29. Melanie M. Shelby (“Shelby”) is a Governor Appointee and Public Member of the State Bar.

12 30. Arnold Sowell, Jr. (“Sowell”) is a Senate Appointee and Public Member of the State Bar.

13 31. Mark W. Toney, Ph.D. (“Toney”) is a Governor Appointee and Public Member of the State  
14 Bar.

15  
16 32. Paul A. Kramer (“Kramer”) is an active licensee and an individual providing legal services  
17 as an agent and authority of the State Bar.

18 33. Jean Krasilnikoff, Esq. (“Krasilnikoff”) is an active licensee and a person who provides  
19 legal services as an employee, agent, or authority of State Bar.

20  
21 34. George S. Cardona (“Cardona”) is an active licensee and individual providing legal services  
22 as an employee, agent, and authority of The Office of Chief Trial Counsel, The State Bar of  
23 California.

**II.**  
**JURISDICTION AND VENUE**

35. This action arises under the Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. §§ 1961-1968, and supplemental jurisdiction is invoked over related state-law claims pursuant to 28 U.S.C. § 1367.

36. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) and 28 U.S.C. § 1367 (supplemental jurisdiction).

37. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because many of the events or omissions giving rise to the claims occurred in this District.

**III.**  
**FACTUAL ALLEGATIONS PERTINENT TO ALL CLAIMS**

38. PCL's website actively recruits individuals from underrepresented communities, with a specific emphasis on advocacy for these groups.

39. PCL specifically targets students from disadvantaged backgrounds and communities with limited access to legal services.

40. In the Fall of 2019, Plaintiff enrolled at PCL, an unaccredited fixed-facility law school in Los Angeles, California.

41. Plaintiff's goals were to earn a Juris Doctorate, prepare to sit for the bar exam, and embark on a new career.

42. On information and belief, Todd was one of five African Americans in his 1L class of 22 students.

43. Plaintiff excelled in his studies, maintaining good academic standing.

44. Plaintiff was elected to serve on the Community Board and as Secretary of the College.

1 45. In June 2020, Plaintiff was one of two PCL students, and the only African American in his  
2 cohort, to successfully pass the First-Year Law Students' Examination (FYLSX).

3 46. After passing the FYLSX, Plaintiff received copies of his transcripts, which contained  
4 numerous errors, including incorrectly calculated class unit awards and missing required  
5 information.

6 47. Plaintiff promptly informed defendants of these errors and sought to rectify them to ensure  
7 compliance with statute and State Bar regulations, but his efforts were consistently  
8 obstructed by Defendants Gonzalez, Pena, Spiro, and Leonard.

9 48. On July 8, 2022, despite Plaintiff's good academic standing, Spiro, on behalf of PCL,  
10 emailed Plaintiff to inform him that PCL would not provide the required fourth-year courses  
11 necessary for him to graduate.  
12

13 49. Plaintiff's originally expected graduation date of May 2023 was delayed until May 2025.  
14

15 50. As of the filing of this Third Amended Complaint, Plaintiff has never possessed an accurate  
16 transcript or law degree, despite completing PCL's academic program.

17 51. As part of their gatekeeping function, State Bar Admissions staff, including Defendants  
18 Wilson, Leonard, and Ching, were likely aware of PCL's record compliance issues before  
19 Plaintiff matriculated.  
20

21 52. The State Bar requires student transcripts to be submitted to verify eligibility prior to taking  
22 the FYLSX.

23 53. Despite this knowledge and Plaintiff's repeated attempts to rectify the errors, the State Bar  
24 failed to take any action.

25 54. In June 2021, a formal grievance was submitted to the PCL Board of Directors by a first-  
26 year law student (1L), Nancy Popp.  
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- 1 55. The grievance detailed concerns about the school's operations, including inaccurate grading,  
2 lack of transparency in governance, and inconsistent instruction.
- 3 56. It also highlighted failures to comply with the California State Bar's Guidelines for  
4 Unaccredited Law Schools.
- 5 57. This grievance letter was shared with the State Bar as part of its ongoing review of PCL's  
6 compliance.
- 7 58. Todd requested immediate assistance from the State Bar in reliance on their statutory  
8 mandate and public DEI statements.
- 9 59. State Bar personnel and appointees stated refusal to intervene but supported PCL in its likely  
10 noncompliance and student abuse.
- 11 60. The State Bar, through its directors, officers, and agents, including Ayrapetyan, Ching,  
12 Davtyan, Duran, Leonard, Stallings, and Wilson, knew or should have known of PCL's  
13 breaches, including inaccurate record-keeping, unlawful fee collection, and the constructive  
14 denial of a degree.
- 15 61. The State Bar was also on notice of the disparate outcomes at PCL and in the legal education  
16 marketplace, as evidenced by the 2020 Inspection Report (Exhibit 2) and the formal  
17 grievance filed by Nancy Popp (Exhibit 3).
- 18 62. Despite this knowledge, the State Bar failed to take meaningful action to address these  
19 issues, thereby perpetuating a pattern of disregard for educational standards and student  
20 welfare that predates Plaintiff's enrollment in 2019.
- 21 63. The State Bar Act of 1927 established the State Bar's regulatory authority and scope of its  
22 duties.
- 23 64. The State Bar Act is codified in the California Business & Professions Code Div. 3 -  
24 Professions and Vocations Generally, Ch. 4 - Attorneys (Bus. & Prof. Code 6000 et seq.).  
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1 65. Plaintiff believes that the State Bar rules and guidelines are regulations for purposes of  
2 Government Code 11342.600.

3 66. The State Bar's failure to enforce accurate record-keeping and its rules or guidelines at PCL  
4 directly impacted Todd's ability to transfer to another institution.

5 67. According to the State Bar's published information, approximately nine in one hundred  
6 African American males that complete their first year at a school like PCL will pass the  
7 FYLSX.  
8

9 68. Year after year, African American males have had a persistent ninety-one percent failure  
10 rate.

11 69. PCL, based on information and credible report, has had a greater than 90% attrition-rate for  
12 African Americans overall since at least 2017.

13 70. The State Bar of California's Antitrust Policy mandates that all State Bar personnel "must  
14 immediately report to OGC potential antitrust violations, including but not limited to  
15 potential violations caused by actions of the State Bar or the Board of Trustees."  
16

17 71. The State Bar of California operates under a "non-interference" policy in student disputes  
18 with law schools, as outlined in Guideline 1.6 of the Guidelines for Unaccredited Law  
19 School Rules (GULSR).  
20

21 72. The State Bar's mandate includes promoting fair and open competition in the legal education  
22 market, ensuring consumers (law students) receive the best combination of price and quality.

23 73. The State Bar's assistance or failure to act against PCL, despite its knowledge of the school's  
24 non-compliance and predatory practices, demonstrates a pattern of inaction.

25 74. The State Bar's persistent failure to take decisive action against PCL, even when confronted  
26 with overwhelming evidence of the school's non-compliance and predatory practices, reveals  
27 a pattern of deliberate indifference that enabled the institution's harmful conduct.  
28

1 75. Furthermore, the individual State Bar defendants, acting outside their official capacities,  
2 contributed to this pattern of inaction by failing to report or address PCL's misconduct,  
3 despite their knowledge and professional obligations.

4 76. The State Bar and PCL engaged in a pattern of conduct to avoid accountability and frustrate  
5 the proper application of administrative procedures, including the State Bar's refusal to  
6 intervene in student disputes.

7  
8 77. On December 2, 2022, during a recorded CSBARS meeting, Leonard reiterated to the public  
9 the longstanding knowledge of PCL's failure to maintain compliance.

10 78. State Bar and the individual defendants failed to enforce regulations.

11 79. Despite Plaintiff's repeated attempts to seek redress from both PCL and the State Bar,  
12 including filing complaints, requesting investigations, and attending meetings, the  
13 defendants failed to take any meaningful action to address his concerns.

14  
15 80. As early as December 10, 2021, the State Bar communicated its 'non-interference' policy to  
16 Todd, stating that it did not intervene in disputes between students and their law schools.

17 81. The State Bar's non-interference policy facially conflicts with its plain-language statutory  
18 mandate to protect the public.

19 82. The State Bar's refusal to intervene in student disputes, even in cases of alleged misconduct,  
20 demonstrates a disregard for its responsibility to protect the public and ensure the integrity  
21 of legal education.

22  
23 83. The State Bar's inaction allowed a conflict of interest to occur, by allowing PCL to continue  
24 operating in a non-compliant manner.

25 84. The State Bar's conduct, including a denial of Plaintiff's request for a "Special Circumstance  
26 Exemption," demonstrates a pattern of intentional avoidance of procedural law, repeatedly  
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1 failing to follow its own rules and procedures, denying Plaintiff due process, and hindering  
2 his ability to seek redress for his grievances.

3 85. In December 2022, Plaintiff filed a Government Claims Act Form (“GCAF”) obtained from  
4 the State Bar’s web site with copies of a draft complaint. No response was received.

5 86. On August 13, 2024, Plaintiff submitted an additional GCAF by email after an unanswered  
6 request for waiver of mailing the physical copies sent to the reported destination of the form,  
7 State Bar Secretary and defendant Ms. Arapetyan as well as co-defendant counsel  
8 Krasilnikoff and others.  
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#### **PLAINTIFF'S ENROLLMENT AND ACADEMIC PERFORMANCE**

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87. PCL's website actively recruits individuals from underrepresented communities, with a  
specific emphasis on advocacy for these groups. PCL specifically targets students from  
disadvantaged backgrounds and communities with limited access to legal services,  
exploiting their aspirations for social mobility and preying on their vulnerability.

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88. In the Fall of 2019, Plaintiff enrolled at PCL, an unaccredited fixed-facility law school in  
Los Angeles, California, with the goals of earning a Juris Doctorate, preparing to sit for the  
bar exam and embarking on a new career.

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89. On credible report and belief, Todd was one of five African Americans in his 1L class; two  
males and three females, in a cohort of 22.

23

90. Todd registered with the State Bar as a student and paid the state administration fees.

24

91. Plaintiff excelled in his studies, maintaining good academic standing.

25

92. Todd was elected and served on the Community Board and as Secretary of the College.

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27

93. In June 2020, Todd was one of two PCL students, and the only African American in his  
cohort, to successfully pass the First-Year Law Students' Examination (FYLSE), a

28

1 requirement for continuing his legal education at PCL. To date, based on credible reports,  
2 none of the twenty other members of his cohort passed.

3 94. After passing the FYLSX, Plaintiff received copies of transcripts with many errors,  
4 including incorrectly calculated class unit awards and missing required information. Plaintiff  
5 promptly informed defendants of these errors and sought to rectify them to ensure  
6 compliance with statute and State Bar regulations, but his efforts were consistently  
7 obstructed by Defendants Gonzalez, Pena, Spiro, and Leonard. A true and accurate copy of  
8 relevant transcripts and accompanying correspondence are attached as Exhibit 1.  
9

10 95. On July 8, 2022, despite Plaintiff's good academic standing, Spiro, on behalf of PCL,  
11 emailed Plaintiff to inform him that PCL would not provide the required fourth-year courses  
12 necessary for him to graduate.  
13

14 96. Todds originally expected graduation date of May 2023 is now delayed until May 2025, a  
15 two-year delay.

16 97. From 2019 until now, as of the filing of this Third Amended Complaint, Plaintiff has never  
17 possessed an accurate transcript or law degree, despite completing PCL's academic program.  
18

### 19 **STATE BAR'S KNOWLEDGE AND INACTION**

20 98. As part of their gatekeeping function, State Bar Admissions staff, including Defendants  
21 Wilson, Leonard, and Ching, were likely aware of PCL's record compliance issues before  
22 Plaintiff matriculated. Furthermore, the State Bar requires student transcripts to be submitted  
23 to verify eligibility prior to taking the FYLSX. Despite this knowledge and Plaintiff's  
24 repeated attempts to rectify the errors, the State Bar failed to take any action.  
25

26 99. Todd requested immediate assistance from the State Bar in reliance on their statutory  
27 mandate and public DEI statements. State Bar personnel and appointees stated refusal to  
28 intervene but supported PCL in its likely noncompliance and student abuse.



1       100.       The State Bar, through its directors, officers, and agents, including Ayrapetyan,  
2       Ching, Davtyan, Duran, Leonard, Stallings, and Wilson, knew or should have known of  
3       PCL's breaches, including inaccurate record-keeping, extortion, and the constructive denial  
4       of a degree. The State Bar was also on notice of the disparate outcomes at PCL and in the  
5       legal education marketplace, as evidenced by the 2023 State Bar report entitled, "Profiling  
6       the Outcomes on the FYLS, a true and accurate copy obtained from the State Bar's website  
7       as Exhibit 3 and the true and accurate copy of the formal grievance filed by Nancy Popp at  
8       Exhibit 2. Despite this knowledge, the State Bar failed to take meaningful action to address  
9       these issues, thereby perpetuating a pattern of disregard for educational standards and  
10       student welfare that predates Plaintiff's enrollment in 2019.

12       101.       State Bar has published data establishing that delays in completing the mandatory  
13       education reduce the odds of individual bar passage and becoming an attorney in a 2023  
14       report entitled Profiling the Outcomes of the FYLSX; a true and accurate copy of the report  
15       is attached hereto as Exhibit 3.

17       102.       In other words, length of study disproportionately affects students from marginalized  
18       communities who may rely on transferring to improve their educational opportunities or  
19       must transfer to viably complete their education. Data demonstrates that the State Bar's  
20       actions and inactions, which caused significant delays in Plaintiff's legal education, have  
21       directly harmed his chances of passing the bar exam and becoming an attorney, as evidenced  
22       by findings in the Exhibit 3 report.

24       103.       The State Bar Act of 1927 established the State Bar's regulatory authority and scope  
25       of its duties. The State Bar Act is codified in the California Business & Professions Code  
26       Div. 3 - Professions and Vocations Generally, Ch. 4 - Attorneys (Bus. & Prof. Code 6000 et  
27  
28

1 seq.). Plaintiff, based on information, believes that the State Bar rules and guidelines are  
2 regulations for purposes of Government Code 11342.600.

3 104. Lack of Accurate Record-Keeping: The State Bar's failure to enforce accurate  
4 record-keeping and its rules or guidelines at PCL directly impacted Todd's ability to transfer  
5 to another institution, hindering his educational and career prospects.  
6

7 105. According to the State Bars published information, approximately nine in one  
8 hundred African American males that complete their first year at a school like PCL will pass  
9 the FYLSX. Year after year, African American males have had a persistent ninety-one  
10 percent failure rate. [See Exhibit 3]

11 106. PCL, based on information and credible report, has had a greater than 90% attrition-  
12 rate for African Americans overall since at least 2017.  
13

14 **SUPPLEMENTAL ALLEGATIONS**

15 107. Plaintiff further alleges that the discriminatory practices and disparate impact on  
16 African American students, particularly the manipulation of academic records and denial of  
17 necessary educational resources, mirror the unconstitutional actions addressed in *Keyes v.*  
18 *School District No. 1, Denver, Colo.*, 413 U.S. 189 (1973). In *Keyes*, the Supreme Court  
19 held that de facto segregation, as caused by the actions of the school board, violated the  
20 Equal Protection Clause. Here, the State Bar and PCL, through their policies and actions,  
21 have created and perpetuated a similar form of educational discrimination in this context.  
22

23 108. Statistical evidence and reports will demonstrate that African American students at  
24 PCL, including Plaintiff, have been disproportionately affected by the school's policies,  
25 resulting in significantly lower graduation and bar passage rates, akin to the racial  
26 segregation seen in *Keyes*.  
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1 109. The deliberate indifference and failure of the State Bar to rectify these known issues  
2 further constitute a violation of the Equal Protection Clause, as the policies have had a  
3 disparate impact on Plaintiff and similarly situated students.  
4

5 **PCL'S NON-COMPLIANCE WITH EDUCATIONAL STANDARDS**

6 110. PCL, based on personal knowledge and credible reports, enrolled out-of-state  
7 students that attended class remotely.  
8

9 111. PCL failed to make timely disclosures, maintain accurate records, and adhere to  
10 student solicitation and matriculation standards. PCL failed to comply with Rule 2.3(D) by  
11 failing to make proper and timely mandatory disclosures to Plaintiff, prior to and after  
12 matriculation, inclusive of academic years 2019, 2020, 2021, 2022, time of matriculation,  
13 contract signing, and each year of his attendance. This failure to comply with Rule 2.3(D)  
14 also includes the non-standard award of units and its actual non-compliance under Rule 9.1  
15 (oversight of recordkeeping processes)  
16

17 112. PCL did not disclose its non-compliance with State Bar regulations, including the  
18 improper awarding of units, which prevented students from initial informed decision making  
19 or later transfer to other law schools or timely qualifying for federal financial aid. (See  
20 Exhibit 201A, previously filed accompanying a request for judicial notice at ECF 102, p. 9-  
21 10)  
22

23 113. PCL has a documented history of non-compliance with State Bar regulations dating  
24 back to 2017, as evidenced by the 2020 Inspection Report (incorporated into Exhibit 2) and  
25 subsequent probationary period. PCLs non-compliance is alleged to include inaccurate  
26 record-keeping, grade inflation, inadequate policies and procedures, misleading disclosures,  
27 and misuse of student funds. Despite numerous complaints and evidence of these issues, the  
28 State Bar, through its officers, directors, employees, and agents, including Defendants

1 Ayrapetyan, Ching, Davtyan, Duran, Leonard, Stallings, and Wilson, failed to take  
2 meaningful action, allowing PCL to continue operating in a predatory manner.

3 114. PCL's non-compliance with educational standards was so severe that the State Bar  
4 ultimately revoked PCL's registration and terminated its degree-granting authority effective  
5 May 31, 2024.  
6

7 115. PCL manipulated student records and misrepresented its compliance status to induce  
8 and maintain student enrollment. This is supported by:

- 9 a. Multiple versions of erroneous transcripts (Exhibit 1).  
10 b. The State Bar's investigative reports and press releases (Exhibits 201A and 201B).  
11 c. Student accounts or complaints, such as the letters from student and Plaintiff to PCL  
12 leadership (Exhibits 3 & 4).  
13 d. Statements made by the defendants themselves, such as the June 8, 2022, email from  
14 Spiro (Exhibit 6).  
15

16 116. Planning improper elections and likely unlawful ousting. (See Exhibit 7, a true and  
17 accurate copy of a draft PCL Election Committee Report detailing likely Bylaws violations  
18 in the elections process and supporting emails.)

19 117. PCL's reported pass rates for the FYLSX and the California Bar Exam were  
20 misleading and did not accurately reflect the actual number of students enrolled.  
21

22 118. PCL misrepresented its pass rates, motivated to attract more students and maintain its  
23 appearance as a legitimate institution. Furthermore, PCL failed to comply with Rule 4.241  
24 and California Business and Professions Code 6061, which require law schools to provide  
25 specific disclosures to students before they pay fees. This failure to disclose essential  
26 information about the school's status, performance, and potential limitations is likely an  
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1 intentionally deceptive practice that misled students and deprived them of their right to make  
2 informed decisions about their legal education  
3

### 4 **STATE BAR'S REGULATORY FAILURES**

5 119. The State Bar of California's Antitrust Policy, established by the California Supreme  
6 Court, mandates that all State Bar personnel "must immediately report to OGC potential  
7 antitrust violations, including but not limited to potential violations caused by actions of the  
8 State Bar or the Board of Trustees." This policy underscores a commitment to fair  
9 competition and protecting the public from anti-competitive practices in the legal services  
10 market.  
11

12 120. Plaintiff has been unable to find any authorizing language in any statute granting the  
13 State Bar the authority to treat law students differently from members of the public in regard  
14 to any of its mandates, including its protective mandates, duties or obligations.  
15

16 121. The State Bar of California operates under a "non-interference" policy in student  
17 disputes with law schools, as outlined in Guideline 1.6 of the Guidelines for Unaccredited  
18 Law School Rules (GULSR). It reads: "Neither the Committee nor any office of the State  
19 Bar of California will intervene in disputes between students and their law schools. Student  
20 complaints are reviewed to determine if they raise compliance issues under the Unaccredited  
21 Law School Rules and, with the permission of the student, may be forwarded to the law  
22 school." This policy, as applied by the State Bar, can allow for private institutions to take  
23 open advantage of students without any fear of regulatory accountability because the  
24 institution knows that it can do whatever it desires in wanton fashion and the State Bar will  
25 refuse to offer aid or protection. (See Exhibit 201A, previously filed accompanying a request  
26 for judicial notice at ECF 102, p. 2)  
27  
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1 122. The State Bar's mandate includes promoting fair and open competition in the legal  
2 education market, ensuring consumers (law students) receive the best combination of price  
3 and quality.

4 123. The State Bar assistance or failure to act against PCL, despite its knowledge of the  
5 school's non-compliance and predatory practices, demonstrates a pattern of inaction despite  
6 knowledge of PCL's non-compliance.

7 124. The State Bar and PCL engaged in a pattern of conduct to avoid accountability and  
8 frustrate the proper application of administrative procedures, including the State Bar's  
9 refusal to intervene in student disputes. State Bar and PCL and the individual defendants  
10 were likely on notice, e.g., on December 2, 2022, during a recorded CSBARS meeting,  
11 Leonard reiterated to the public, committee members and staff their longstanding knowledge  
12 of PCL's failure to maintain compliance.

13 125. State Bar and the individual defendants failed to enforce regulations. Despite  
14 Plaintiff's repeated attempts to seek redress from both PCL and the State Bar, including  
15 filing complaints, requesting investigations, and attending meetings, the defendants failed to  
16 take any meaningful action to address his concerns, demonstrating a deliberate indifference  
17 to his grievances and a disregard for their obligations to protect students. (Paragraph 34)

18 126. As early as December 10, 2021, the State Bar communicated its 'non-interference'  
19 policy to Todd, stating that it did not intervene in disputes between students and their law  
20 schools.

21 127. The State Bars non-interference policy facially conflicts with its plain-language  
22 statutory mandate to protect the public and may constitute a neglect of its protective duties  
23 because it appears to authorize the State Bar to treat law students differently than the general  
24 public and without adequate notice.

1 128. The State Bar's refusal to intervene in student disputes, even in cases of alleged  
2 misconduct, demonstrates a disregard for its responsibility to protect the public and ensure  
3 the integrity of legal education, despite its duty to protect the public and ensure the integrity  
4 of legal education. (See Exhibit 201A, previously filed accompanying a request for judicial  
5 notice at ECF 102, p. 2)

6  
7 129. The State Bar's inaction allowed a conflict of interest to occur, by allowing PCL to  
8 continue operating in a non-compliant manner. (See Exhibit 201A, previously filed  
9 accompanying a request for judicial notice at ECF 102, p. 2)

10 130. The State Bar's conduct, including a denial of Plaintiff's request for a "Special  
11 Circumstance Exemption," demonstrates a pattern of intentional avoidance of procedural  
12 law, repeatedly failing to follow its own rules and procedures, denying Plaintiff due process,  
13 and hindering his ability to seek redress for his grievances.

14  
15 131. Government Code section 815.6 imposes liability on a public entity for injuries  
16 proximately caused by its failure to discharge a mandatory duty imposed by an enactment  
17 designed to protect against the risk of a particular kind of injury, unless the public entity  
18 establishes that it exercised reasonable diligence to discharge the duty.

19  
20 **– FIRST CAUSE OF ACTION –**  
21 **EQUAL PROTECTION**  
22 **VIOLATION UNDER THE 14TH AMENDMENT**  
**(Against Wilson, Leonard, Kramer, Ching, Duran, Stallings, and Chen in their personal**  
23 **capacities)**

24 132. **Summary:** This cause of action arises from the Defendants' systematic and  
25 deliberate failure to provide African American students, including the Plaintiff, with equal  
26 protection under the law, as required by the 14th Amendment. The Defendants, acting under  
27 color of state law, implemented and enforced discriminatory policies and practices that  
28 disproportionately harmed African American students at Peoples College of Law (PCL).

1 These practices included the manipulation of academic records, the denial of transfer  
2 opportunities, and the failure to correct known compliance issues, all of which had a  
3 disparate impact on Plaintiff and similarly situated students. Despite knowing the  
4 discriminatory effects of their actions, the State Bar and its agents failed to take corrective  
5 action, thereby violating the Plaintiff's constitutional rights.

6  
7 133. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-  
8 121, specifically those regarding the discriminatory policies and practices, the disparate  
9 impact on African American students, and the failure of the State Bar to enforce compliance  
10 (see ¶¶ 15-37, 54-60, 69-76, and 120-131).

11 134. Defendants, as employees or appointees of the State Bar and acting in their  
12 individual capacities are alleged to have violated the plaintiff's right to equal protection  
13 under the law by implementing and enforcing discriminatory policies, failing to ensure  
14 equitable educational opportunities, and allowing non-compliant schools to freely operate.

15  
16 135. Plaintiff alleges that the actions and inactions of the State Bar, through its officers,  
17 directors, employees, and agents, acting under color of state law due to PCL's extensive  
18 regulation by and relationship with the State Bar, and the State Bar, through its employees  
19 acting outside their official capacities, have caused him harm due to the inaction in  
20 addressing the discriminatory practices at PCL, which likely constitutes a violation of the  
21 Equal Protection Clause of the Fourteenth Amendment.

22  
23 136. As a direct and proximate result of the actions and inactions of PCL and the State  
24 Bar, Plaintiff suffered damages, including but not limited to: (a) economic damages,  
25 including tuition and fees paid to PCL; and (b) non-economic damages, including emotional  
26 distress and loss of educational and professional opportunities.



1 137. The State Bar's inaction disproportionately affects African American students,  
2 denying them equal access to educational opportunities and perpetuating systemic  
3 inequalities in the legal profession.

4 138. The State Bar's oversight, through the actions and inactions of Wilson, Kramer,  
5 Leonard, Ching, Duran, Stallings, and Chen in their personal capacities, in addressing the  
6 disparity in pass rates between ABA and CBE-accredited schools, coupled with the "non-  
7 interference" policy, has a disparate impact on students from schools like PCL, violating  
8 their right to equal protection under the law. The State Bar's failure to address the known  
9 disparities in FYLSX and GBX performance, as documented in its report 'Profiling the  
10 Outcomes on the FYLSX,' demonstrates a disregard for the equal protection rights of  
11 African American males. (See Exhibit 201A, previously filed accompanying a request for  
12 judicial notice at ECF 102, p. 2)

13 139. The State Bar's failure, through the actions and inactions of Wilson, Leonard, Ching,  
14 Duran, Stallings, and Chen in their personal capacities, to ensure equitable educational  
15 opportunities and outcomes for all students, regardless of the accreditation status of the law  
16 school, constitutes a denial of equal protection. (*Id.*)

17 140. The State Bar's "non-interference" policy, implemented and enforced by Wilson,  
18 Leonard, Ching, Duran, Stallings, and Chen in their personal capacities, exacerbates this  
19 disparity by preventing students from seeking redress for grievances and allowing non-  
20 compliant schools to operate without accountability. (*Id.*)

21 141. Wilson, Leonard, Ching, Duran, Stallings, and Chen knew or should have known  
22 that the policies were unlawful themselves or that their application would inevitably lead to  
23 unlawful consequences. The State Bar, through the actions of these employees acting outside  
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1 their official capacities, had a duty to ensure that its policies and regulations were lawful and  
2 did not infringe upon students' rights.

3 142. As a result of the State Bar's actions and inactions, Plaintiff and other similarly  
4 situated students have been denied equal access to a quality legal education and the  
5 opportunity to pass the bar exam, leading to significant harm to their educational and  
6 professional prospects.

7  
8 143. The State Bar's extensive regulation of PCL, coupled with its acceptance of federal  
9 funds, likely renders PCL a state actor for purposes of this action.

10 144. Peoples College of Law (PCL) receives federal financial assistance through the State  
11 Bar of California's receipt of federal funds.

12 145. The State Bar of California exercised substantial control over PCL and its  
13 educational programs through its regulatory authority.

14  
15 146. Defendant Spiro, as Dean of PCL, acted under color of state law given the extensive  
16 regulation and entanglement between the State Bar and PCL.

17 147. Defendant Leonard, as the Principal Program Analyst for the State Bar, also acted  
18 under the color of state law in her regulatory capacity over PCL.

19 148. This disparate treatment is further evidenced in Exhibit 6, where Spiro engages in  
20 extensive communication with Popp but appears dismissive and unhelpful in his  
21 communication with Todd. Nancy Popp's transcripts were corrected promptly, while Todd's  
22 transcripts remained uncorrected for such a long time. This fact is likely evidence of  
23 discrimination or discrimination based on protected status or arbitrary and capricious  
24 conduct in the handling of student records.  
25  
26  
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1 149. The State Bar and Defendant Spiro knew or should have known about discrimination  
2 at PCL, as shown by the disparate treatment of Todd, an African American male, and Nancy  
3 Popp, a white female, regarding the correction of their transcripts.

4 150. Despite knowing about the discrepancy in treatment based on sex, the State Bar took  
5 no action to rectify the situation.

6 151. As a result of the State Bar's and Defendant Spiro's discriminatory conduct, Plaintiff  
7 and other similarly situated students have been denied equal access to educational  
8 opportunities and suffered damages, including, but not limited to, financial harm, emotional  
9 distress, and loss of career opportunities.

10 152. The State Bar's inaction in the face of PCL's non-compliance is inconsistent with its  
11 regulatory role. This entanglement between the State Bar and PCL establishes a basis for  
12 holding the State Bar accountable for the discriminatory practices and constitutional  
13 violations perpetrated by PCL and vice versa.

14 153. The State Bar's failure to enforce its own regulations and adequately oversee PCL's  
15 operations, despite knowledge of its discriminatory practices, constitutes a violation of the  
16 Equal Protection Clause.

17 154. The State Bar's 2020 inspection report highlighted the significant disparity in bar  
18 passage rates between students from ABA-accredited law schools and those from  
19 unaccredited schools like PCL. This disparity, coupled with the State Bar's failure to take  
20 adequate measures to address it, demonstrates a discriminatory impact on students from  
21 unaccredited schools, violating their right to equal protection under the law.

22 155. The State Bar's handling of the Plaintiff's complaints raises serious concerns  
23 regarding the fairness and thoroughness of their evaluation process. On May 26, 2023, the  
24 Special Deputy Trial Counsel communicated the results of their "independent review and  
25  
26  
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28

1 evaluation" solely through physical mail, despite the gravity of the allegations against Spiro  
2 and Leonard, which mirrored the filed court complaint. (See Exhibit 5). Throughout this  
3 process, the Plaintiff was never contacted by any investigator to provide additional  
4 information or clarification regarding their complaints.

5  
6 156. It is the Plaintiff's understanding that State Bar investigations are not held to the  
7 same due process standards as judicial proceedings. However, the document received from  
8 the State Bar did not indicate any investigative actions beyond a mere "review" of the  
9 Plaintiff's submitted documents. This raises concerns about the thoroughness and  
10 impartiality of the State Bar's evaluation process.

11 157. The actions of the State Bar Defendants, in their individual capacities, violated  
12 clearly established statutory and constitutional rights. Their failure to enforce regulations,  
13 implement discriminatory policies, and retaliate against Plaintiff for exercising his First  
14 Amendment rights are violations of well-established legal principles. A reasonable person in  
15 their position would have known that their conduct was unlawful.

16  
17 158. The State Bar as monopoly regulator, along with these specific individuals acting  
18 under color of law and in their individual capacities, intentionally enforce or fail to enforce  
19 rules that result in a "separate but equal" approach to legal education, disadvantaging  
20 students from less expensive, unaccredited law schools. Consequently, this is likely a  
21 violation of the Equal Protection Clause under the 14th Amendment.

22  
23 **– SECOND CAUSE OF ACTION –**  
24 **VIOLATION OF THE UNRUH CIVIL RIGHTS ACT**  
25 **(CALIFORNIA CIVIL CODE § 51)**  
**(Against Gonzalez, Pena, Spiro, Sarinana, Leonard, Ching)**

26 159. **Summary:** This cause of action is based on the Defendants' violation of the Unruh  
27 Civil Rights Act by engaging in discriminatory practices that denied the Plaintiff full and  
28 equal accommodations, advantages, facilities, privileges, or services in the educational

1 opportunities provided by PCL. The Defendants, including PCL and its agents, engaged in  
2 conduct that discriminated against the Plaintiff on the basis of race, denying him equal  
3 access to the educational resources and opportunities provided to other students. This  
4 discrimination was further compounded by the State Bar's failure to enforce its own  
5 regulations and to protect the rights of students, including the Plaintiff, thereby violating the  
6 Unruh Civil Rights Act.

7  
8 160. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-  
9 121, with particular emphasis on the allegations concerning the denial of full and equal  
10 accommodations and the discriminatory treatment based on race (see ¶¶ 22-30, 56-58, and  
11 83-90, and 120-131).

12  
13 161. Defendant PCL, as a private trade school that provides legal training in exchange for  
14 tuition, is a business establishment within the meaning of California Civil Code § 51.

15 162. Defendant natural persons, as agents of PCL or employees or appointees of the State  
16 Bar, and each of them acting in their individual capacities are alleged to have engaged in  
17 discriminatory practices that denied the plaintiff equal access to educational opportunities  
18 and services.

19 163. A substantial motivating reason for Defendants' conduct was his race or gender or  
20 sexual orientation. Alternatively, a substantial motivating reason for Defendants' conduct  
21 was Todd's disability.

22  
23 164. The alleged discriminatory practices had a disparate impact on Todd due to his race,  
24 denying him equal access to educational opportunities, services, employment and protection.

25 165. Plaintiff alleges that the actions and inactions of PCL, through its officers, directors,  
26 employees, and agents, acting under color of state law due to PCL's extensive regulation by  
27 and relationship with the State Bar, and the State Bar, through its employees acting outside  
28

1 their official capacities, have caused him harm due to the lack of an accurate transcript and  
2 the planned and intentional denial of a degree.

3 166. Gonzalez, Pena, Spiro, and Sarinana, as agents of PCL, and Leonard and Ching, as  
4 employees of the State Bar acting outside their official capacities, engaged in discriminatory  
5 practices that denied Plaintiff equal access to educational opportunities and services.  
6

7 167. The acts or omissions used to obtain this result include:

- 8 a. Gonzalez, Pena, Spiro, Sarinana, Leonard, and Ching denied, conspired to deny, or  
9 conspired to aid or incite a denial of the full and equal advantages, facilities,  
10 privileges, or services in the educational opportunities offered by PCL.  
11  
12 b. The State Bar's failure or complicity, through the actions of Leonard and Ching, to  
13 adequately oversee and regulate PCL's operations, despite knowledge of its non-  
14 compliance. (See Exhibit 201A, previously filed accompanying a request for judicial  
15 notice at ECF 102, p. 2)  
16  
17 c. The State Bar's "non-interference" policy were likely implemented and enforced by  
18 Leonard and Ching and disproportionately affected students from unaccredited  
19 schools. (*Id.*)  
20  
21 d. PCL's misleading advertising and recruitment practices that targeted vulnerable  
22 communities, as facilitated by Gonzalez, Pena, Spiro, and Sarinana. (*Id.* at 42)  
23  
24 e. PCL's failure to provide a quality education and accurate transcripts, because of the  
25 actions and inactions of Gonzalez, Pena, Spiro, and Sarinana. (*Id.* at 9-10)

26 168. The State Bar's failure to intervene in PCL's discriminatory practices, including in  
27 allowing certain records to be corrected with the remainder uncorrected, despite its  
28 regulatory authority and knowledge of the issues, constitutes a violation of the Unruh Civil  
Rights Act.

1 169. The State Bar's regulations, implemented and enforced by specific individuals acting  
2 under color of law and in their individual capacities, impose additional requirements on  
3 graduates of unaccredited law schools, such as Plaintiff, seeking to practice law. These  
4 requirements may create barriers to entry into the legal profession, potentially impacting the  
5 interstate market for legal services.  
6

7 170. By requiring an additional year of study, the State Bar, through its agents and  
8 employees acting both officially and individually, likely infringes on constitutional rights  
9 under the 5th Amendment's Takings Clause or other amendment, given that the additional  
10 requirement as applied likely cannot be justified under scrutiny or by a rational educational  
11 or regulatory purpose.  
12

13 171. Todd argues the requirement of an additional year and attendance at another school  
14 for award of his Juris Doctorate constitutes an unlawful taking of property (his time,  
15 opportunity, "heightened" graduation requirements and investment in education) or  
16 pecuniary interests without just compensation. This "requirement" appears to be enforced by  
17 individuals acting both officially and in their individual capacities.  
18

19 172. The requirement of an additional year and attendance at another school to "earn" his  
20 Juris Doctorate without clear statutory backing is alleged to constitute a due process  
21 violation under the 14th Amendment, perpetrated by the State Bar and including these  
22 specific individuals acting in their official and individual capacities.  
23

24 173. The State Bar, through its officials and employees, allows schools targeting  
25 vulnerable classes to operate under conditions likely to result in student failure, without  
26 adequate oversight or intervention.  
27

28 174. As a result of these discriminatory practices, Plaintiff suffered financial harm,  
emotional distress, and a loss of educational and professional opportunities.

1                                   – **THIRD CAUSE OF ACTION** –  
2                           **TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 –**  
3                           **RACIAL DISCRIMINATION IN EDUCATION**  
4           **(Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Sanchez, Leonard, Wilson, Stallings,**  
5                           **Duran, and Chen)**

6           174. Summary: This cause of action asserts that the Defendants violated Title VI of the  
7           Civil Rights Act of 1964 by engaging in racially discriminatory practices in the  
8           administration of educational programs at PCL, a program receiving or benefiting from  
9           federal financial assistance. The Defendants, including the named individuals, the State  
10          Bar and PCL, engaged in practices that disproportionately impacted African American  
11          students, including the Plaintiff, such as the manipulation of academic records and the  
12          intentional delay in awarding degrees. These actions resulted in significant harm to the  
13          Plaintiff, including emotional distress, loss of educational opportunities, and financial  
14          damages. The Defendants' actions and inactions constitute a violation of Title VI's  
15          prohibition against racial discrimination in federally funded programs.

16          175. Here, Defendants refers to all named defendant natural persons in their individual  
17          capacities and named immediately below the caption for this Third Cause.

18          176. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-  
19          132, particularly those detailing the racially discriminatory practices, the disparate  
20          impact on Plaintiff's educational opportunities, and the State Bar's knowledge of and  
21          failure to address these issues (see ¶¶ 31-45, 78-90, and 116-131).

22          177. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race,  
23          color, or national origin in any program or activity receiving federal financial assistance.

24          178. Peoples College of Law (PCL) and the State Bar of California, through their  
25          regulation and receipt of federal funds, are subject to the mandates of Title VI.  
26  
27  
28



1 179. Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Sanchez, as individuals and as  
2 part of PCL's administration, directly engaged in racially discriminatory practices, such  
3 as the manipulation of academic records and delay in awarding degrees.

4 180. Leonard, Wilson, Stallings, Duran, and Chen failed to take action against PCL  
5 despite being aware of its non-compliance and the disparate impact on African American  
6 students, thus violating Title VI by allowing a federally funded program to engage in  
7 racial discrimination.  
8

9 181. The conduct, rules set, and circumstances surrounding the State Bar's oversight of  
10 unaccredited law schools, and particularly its interactions with Peoples College of Law  
11 (PCL), strongly suggest the existence of **de jure, de facto or combination**  
12 **discriminatory schemes** that disproportionately impact African American students.  
13

14 182. The State Bar's refusal to intervene in student disputes, even in cases of clear  
15 misconduct and non-compliance, further reinforces this discriminatory scheme. By  
16 abdicating its responsibility to protect students and uphold educational standards, the  
17 State Bar allows institutions like PCL to operate without accountability, perpetuating a  
18 cycle of exploitation and inequality.

19 183. The cumulative effect of these actions and policies creates a de facto, if not de jure,  
20 system of segregation in legal education. The State Bar's inaction, coupled with PCL's  
21 discriminatory practices, effectively denies African American students equal access to a  
22 quality legal education and the opportunity to succeed in the legal profession. This  
23 systemic discrimination violates the core principles of Title VI and the Equal Protection  
24 Clause, demanding redress and reform.  
25  
26  
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28

1 184. The intentional discrimination or, in the alternative, the disparate impact of  
2 Defendants' actions and policies, has caused Plaintiff significant harm, including  
3 emotional distress, loss of educational opportunities, and financial damages.

4 185. Defendants, by engaging in the discriminatory practices alleged in this complaint,  
5 including but not limited to the manipulation of Plaintiff's academic records, the denial  
6 of transfer opportunities, and the overall disparate treatment of African American  
7 students, have violated Plaintiff's rights under Title VI.  
8

9 186. As a direct and proximate result of the discriminatory actions of Defendants, Plaintiff  
10 has suffered, and continues to suffer, damages including but not limited to economic  
11 loss, emotional distress, and loss of future professional opportunities.  
12

13 187. Plaintiff seeks compensatory damages, declaratory relief, and injunctive relief,  
14 including but not limited to an order requiring Defendants to cease all discriminatory  
15 practices, implement equitable educational policies, and correct Plaintiff's academic  
16 records.

17 **– FOURTH CAUSE OF ACTION –**  
18 **RICO DAMAGES UNDER THE**  
19 **RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT**  
20 **(Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Sanchez, Leonard, Wilson, Stallings,**  
21 **Duran, and Chen)**

22 188. **Summary:** This cause of action involves the Defendants' participation in a  
23 pattern of racketeering activity in violation of the Racketeer Influenced and Corrupt  
24 Organizations (RICO) Act. The Defendants, including PCL and the State Bar's agents,  
25 engaged in a coordinated effort to defraud and exploit African American students,  
26 including the Plaintiff, through actions such as the manipulation of academic records, the  
27 intentional delay in awarding degrees, and the denial of transfer opportunities. These  
28 actions were conducted through an enterprise affecting interstate commerce and involved

1 the operation of a law school and the regulation of legal education in California. As a  
2 result of this racketeering activity, the Plaintiff suffered financial and emotional harm.

3 189. Here, Defendants refers to all named defendant natural persons in their individual  
4 capacities and named immediately below the caption for this Fourth Cause.

5 190. At all relevant times, Defendants were and are "persons" within the meaning of  
6 RICO 18 U.S.C. § 1961 (3) and § 1962 (c)-(d).

7 191. The Defendant natural persons are alleged to have participated in a pattern of  
8 racketeering activity.

9 192. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-  
10 150, focusing on the facts that demonstrate the pattern of racketeering activity, including  
11 wire and mail fraud (see ¶¶ 45-65, 102-120), and the financial and emotional damages  
12 suffered by the Plaintiff as a direct result (see ¶¶ 121-150, 185-186).

13 193. Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, and Sanchez participated in or  
14 facilitated a pattern of racketeering activity, including wire and mail fraud and the  
15 intentional manipulation of academic records to defraud students.

16 194. Leonard, Wilson, Stallings, Duran, and Chen as individuals at times claiming to act  
17 in their capacities at the State Bar, either participated in or were deliberately indifferent  
18 to the racketeering activities by allowing PCL's fraudulent practices to continue without  
19 intervention, including times when their role or duty required action or provision of aid.

20 195. The pattern of racketeering activity, as alleged, is further demonstrated by the  
21 parallel to the discriminatory practices addressed in *Keyes v. School District No. 1,*  
22 *Denver, Colo.* The systematic targeting and exploitation of African American students,  
23 through actions such as the manipulation of academic records, the intentional delay in  
24  
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28

1           awarding degrees, and the denial of transfer opportunities, constitutes a coordinated  
2           effort to defraud and exploit a vulnerable population for financial gain.

3           196. From at least May 2019 to the present, Defendants engaged in a pattern of  
4           racketeering activity to defraud Plaintiffs and similarly situated students and donors.

5           This activity included:

- 6
- 7           i. Wire and mail fraud: Disseminating misleading information about PCL's bar passage  
8           rates and compliance status and sending deceptive communications to students and  
9           donors.
- 10          ii. Extortion: Threatening to withhold certifications and access to education unless  
11          unjustified payments were made.
- 12          iii. Unreasonable restraint of trade: The State Bar's inaction towards PCL's non-compliance,  
13          which could be seen as anti-competitive, limited consumer choice, and negatively  
14          impacted the quality of legal education. For example, the improper unit awards likely  
15          functioned as a "poison pill" to disincentivize transfer, thus improving retention odds for  
16          students that passed the FYLSX and sought transfer from PCL.
- 17          iv. Violations of State Bar Act §6001.1: Unlawfully awarding inadequate credits for legal  
18          education services and failing to treat students as equal members of the public
- 19          v. Conflicts of interest and ethical breaches by State Bar attorneys: Failing to recuse  
20          themselves despite clear conflicts of interest, creating an unfair discovery shield, and  
21          obstructing legal proceedings.
- 22          vi. Breaches of fiduciary duty and implied covenants of good faith and fair dealing:  
23          Engaging in actions that harmed the interests of students and donors.
- 24          vii. Violations of constitutional rights: Discriminating against students based on their  
25          constitutional rights and suppressing free speech.  
26  
27  
28

viii. Antitrust Policy: The State Bar's Antitrust Policy mandates that all personnel report potential antitrust violations. Despite this, Leonard, Wilson, Stallings, Duran, and Chen, in their roles at the State Bar, likely failed to report PCL's anti-competitive practices, such as misleading advertising, manipulating student records, pricing at the cost of compliance, and creating barriers to transfer which could manifest an unreasonable restraint of trade. This failure to report constitutes a breach of their duty under the State Bar's Antitrust Policy.

197. These actions were conducted through an enterprise that affected interstate commerce and involved the operation of a law school and the regulation of legal education in California.

198. In their individual capacities, State Bar employees, officers, directors, or agents participated in or were deliberately indifferent to PCL's pattern of racketeering activity, facilitating the continuation of the alleged scheme. The defendants' alleged misconduct raises serious concerns about their adherence to professional and ethical obligations.

199. These actions have not only caused economic harm to Plaintiff but have also perpetuated systemic racial inequalities within the legal education system, which is a fundamental violation of federal law, including but not limited to RICO statutes and anti-discrimination laws.

200. As a direct and proximate result of Defendants' RICO violations, Plaintiff suffered financial harm, including tuition payments and loss of future earnings, as well as emotional distress and other damages.

**– FIFTH CAUSE OF ACTION –  
CONSPIRACY  
(Against Sarinana, Bouffard, Pena, Spiro, Gonzalez, Torres, Sanchez, Leonard, Wilson,  
Stallings, Duran, and Chen)**

1       201. **Summary:** This cause of action alleges that the Defendants conspired to deprive  
2       the Plaintiff of his civil rights, specifically his right to a fair education and career  
3       progression. The Defendants, including PCL and agents of the State Bar, engaged in a  
4       coordinated effort to manipulate the Plaintiff's academic records, deny him viable  
5       transfer options, and obstruct his ability to complete his legal education. This conspiracy  
6       was motivated by discriminatory animus and involved actions such as the  
7       implementation of the State Bar's non-interference policy and the denial of the  
8       Plaintiff's exemption requests. The Defendants' actions were designed to harm the  
9       Plaintiff and prevent him from achieving his educational and professional goals.  
10

11       202. These defendants, as agents of PCL or employees or appointees of the State Bar and  
12       acting in their individual capacities are alleged to have engaged in a conspiracy to  
13       deprive the plaintiff of his civil rights to a fair education and career progression by  
14       manipulating his transcript, denying him transfer options, failing to process his  
15       exemption request, conspiring to oust him as a duly elected corporate officer, and  
16       implementing the State Bar's non-interference policy.  
17

18       203. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-  
19       165.  
20

21       204. Defendants engaged in a conspiracy to deprive Plaintiff of his civil rights to a fair  
22       education and career progression. (See Exhibit 201A, previously filed accompanying a  
23       request for judicial notice at ECF 102, p. 95)

24       205. Alternatively, the alleged conspiracy to deprive Plaintiff of his civil rights was  
25       motivated by racial animus.  
26  
27  
28

1 206. Exhibit 6 reveals communications between Spiro and members of the State Bar,  
2 suggesting a potential coordinated effort to downplay or ignore PCL's non-compliance  
3 issues.

4 207. The State Bar, despite being expressly informed of PCL's non-compliance with state  
5 and federal regulations as early as 2017, failed to intervene or take substantive action for  
6 over two years, as admitted in a published letter on June 21, 2022.

7 208. Communications between Spiro and members or employees of the State Bar suggest  
8 a potential coordinated effort to downplay or ignore PCL's non-compliance issues. (See  
9 Exhibit 6)

10 209. The State Bar's inaction enabled the individual State Bar Defendants to act outside  
11 their official capacities, including Wilson, Leonard, Ching, Duran, Stallings, and Chen,  
12 to engage in a pattern of conduct that violated Plaintiff's rights. These defendants, acting  
13 under color of law, either knowingly acted ultra vires or in excess of their authority, or  
14 enforced unlawful rules or rules that were certain to produce unlawful outcomes, causing  
15 harm to Plaintiff.

16 210. This conspiracy involved:

- 17 a. The manipulation of Plaintiff's transcript. (See Exhibit 1)
- 18 b. The denial of viable transfer options. (See Exhibit 201A at ECF 102, p. 45)
- 19 c. The failure to process his exemption request in good faith. (*Id.* at 6-7)
- 20 d. Implementation and/or enforcement of the "non-interference" policy. (*Id.* at 2)
- 21 e. Disseminating misleading information about PCL's compliance status. (*Id.* at 9-10)
- 22 f. Protracted failure to reasonably oversee and regulate PCL's operations. (*Id.* at 2)
- 23
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1       211. The State Bar made public statements about its commitment to diversity, equity, and  
2       inclusion (DEI) while also failing to address the discriminatory practices at PCL. This  
3       fact suggests a deliberate effort to mislead the public and potential students.

4       212. The State Bar or its employees or appointees of the State Bar acting in their  
5       individual capacities prolonged inaction and failure to enforce regulations, despite  
6       knowledge of PCL's misconduct, raises questions about their commitment to protecting  
7       students, upholding regulatory standards and capacity.

8       213. Because of this conspiracy, Plaintiff was prevented from completing his legal  
9       education and obtaining his degree, causing him financial and emotional harm.

10       214. Defendants knew or should have known that the policies were unlawful themselves  
11       or that their application would inevitably lead to unlawful consequences. The State Bar,  
12       through the actions and inactions of Wilson, Leonard, Ching, Duran, Stallings, and  
13       Chen, had a duty to ensure that its policies and regulations were lawful and did not  
14       infringe upon students' rights. PCL, as a regulated entity, had a duty to comply with the  
15       State Bar's regulations and to operate in a lawful and ethical manner. The individual  
16       defendants, as officers and employees of the State Bar and PCL, had a duty to act in  
17       accordance with the law and to uphold their professional and ethical obligations. (*Id.* at  
18       9)

19       215. Despite this knowledge and these duties, Defendants engaged in a pattern of conduct  
20       that violated Plaintiff's rights and caused him harm. This conduct reveals a deliberate  
21       disregard for the law and a willingness to prioritize their own interests over the rights of  
22       the students they were supposed to serve. Thus, Defendants are liable for the damages  
23       caused by their conspiracy.

24                               **– SIXTH CAUSE OF ACTION –**  
25                               **NEGLIGENCE AND NEGLIGENCE PER SE**



(Against All Defendants)

216. **Summary:** This cause of action arises from the Defendants' negligent actions, including the failure to provide accurate transcripts, the delay in awarding degrees, and the lack of proper oversight of PCL's compliance with educational standards. The Defendants, including PCL and the State Bar, had a duty to act reasonably and prudently in their roles as educators and regulators but breached this duty by failing to maintain accurate records, enforce compliance, and protect the rights of students, including the Plaintiff. These negligent actions disproportionately impacted African American students and violated established anti-discrimination statutes, constituting negligence per se. As a result, the Plaintiff suffered significant economic and non-economic damages.

217. Plaintiff re-alleges and incorporates by reference each allegation contained in ¶¶ 1-180.

218. The negligent actions of PCL and the State Bar, including the failure to provide accurate transcripts, the delay in awarding degrees, and the lack of proper oversight, have disproportionately impacted African American students.

219. This conduct is not only negligent but also violates established anti-discrimination statutes, including Title VI and the Equal Protection Clause, thus constituting negligence per se.

220. Defendants, as officers and directors of PCL, had a duty to ensure the accuracy of student transcripts, timely offering of compliant legal education, and adherence to the educational contract and implied covenants of good faith and fair dealing. Their failure to do so constitutes a breach of this duty.

221. These defendants had a regulatory duty to oversee PCL's compliance with educational standards. Their failure to intervene or address known issues at PCL

1 constitutes negligence per se, as it violated statutes and regulations designed to protect  
2 students like the Plaintiff.

3 222. Furthermore, the State Bar, through its officers and employees, had a duty to regulate  
4 and oversee PCL's compliance with educational standards and regulations. This duty  
5 arose from their statutory authority and public mandate to protect the public and ensure  
6 the integrity of legal education. Their failure to adequately monitor PCL's compliance  
7 constitutes a breach of this duty.  
8

9 223. Defendants breached their duty of care by failing to provide accurate and timely  
10 transcripts, failing to award degrees despite completion of program requirements, failing  
11 to maintain accurate records, failing to adhere to student solicitation and matriculation  
12 standards, failing to oversee PCL's compliance with regulations, allowing discriminatory  
13 practices, and retaliating against Plaintiff for exercising his First Amendment rights.  
14

15 224. Duran, Stallings, Kramer, Wilson, Chen, Ching, Gonzales, Spiro, Pena, Franco,  
16 DeuPree, Silberger, Gillens, breached that duty by allowing their employees and agents  
17 to act in opposition to or outside the scope of their employment to the detriment of the  
18 Plaintiff, the Defendants, as agents of PCL or employees or appointees of the State Bar,  
19 breached their duty to hire and utilize only individuals who would comply with the law  
20 and to properly train and supervise those individuals to ensure compliance.  
21

22 225. State Bar and PCL allowed Spiro, Pena, Gonzalez, Sarin, Bouffard, Maestas, Torres  
23 to discriminate against Todd so that PCL could continue operating in noncompliance.

24 226. PCL failed to accommodate or supply services, even after Todd multiple requests for  
25 the provision of "teach-out" or other classes to accommodate the State Bar's  
26 communicated requirements and PCL's commitments.  
27  
28

1 227. Spiro appears to dismiss Plaintiff's concerns and downplays the severity of the issues  
2 at PCL, which could be seen as further evidence of negligence in addressing the  
3 situation. (See Exhibit 6)

4 228. As a proximate result of PCL's breach of duty, Plaintiff was injured, in amounts to be  
5 proven at trial.  
6

7 229. This conduct is alleged to constitute inclusively negligence, under the common law,  
8 statutory or negligence per se doctrines as it violated statutes, regulations, and rules  
9 designed to protect individuals like the plaintiff and because the consequences are likely  
10 to have resulted from the negligence or fault of the Defendants.

11 230. Alternatively, the doctrine of res ipsa loquitur applies. The harm suffered by Todd—  
12 the denial of an accurate transcript and degree, the financial loss, PCL's loss of charter  
13 and the emotional distress resulting therefrom — is not the type of harm that ordinarily  
14 occurs in the absence of negligence. The instrumentalities of harm, namely the school's  
15 administration, educational services, record-keeping systems, and the State Bar's  
16 regulatory oversight, were under the exclusive control of the Defendants. The Plaintiff,  
17 as a student, had no control over these instrumentalities and relied on the Defendants to  
18 fulfill their duties. Therefore, it is reasonable to infer that the harm suffered by Plaintiff  
19 was more likely than not caused by Defendants' negligence.  
20

21 231. Defendants, as officers, directors, employees, and agents of PCL, owed a duty of  
22 care to Plaintiff to act reasonably and prudently in their roles as administrators and  
23 educators at the law school. Defendants breached their duty of care by failing to provide  
24 accurate and timely transcripts, failing to award a degree despite Plaintiff's completion of  
25 the program requirements, failing to maintain accurate records and provide timely access  
26 to them, failing to adhere to student solicitation, recruitment, and matriculation  
27  
28

standards, and failing to oversee PCL's compliance with regulations. This conduct constitutes negligence per se as it violated statutes, regulations, and rules designed to protect individuals like Plaintiff from the harm suffered. As a direct and proximate result of their negligence and negligence per se, Plaintiff suffered damages.

232. The State Bar of California, its Board of Trustees, the Office of Admissions, the Office of General Counsel, and the Office of Chief Trial Counsel, and its employees, officers, agents, and appointees, owed a duty of care to Plaintiff to act reasonably and prudently in their roles as regulators of legal education. They breached their duty of care by failing to oversee PCL's compliance with regulations, implementing and enforcing policies that harmed students, allowing PCL to operate in a non-compliant and predatory manner, failing to address Plaintiff's complaints and concerns, making untrue or misleading statements or omissions about the quality and compliance of PCL's legal education program, PCL's fundraising and operating costs, and the State Bar's enforcement of rules and regulations, implementing "underground rules" and failing to follow mandated administrative procedures, failing to adopt or reconcile federal and state unit hour requirements, failing to provide due process in handling Plaintiff's exemption request, and allowing discriminatory practices in law school transfers. This conduct constitutes negligence per se as it violated statutes, regulations, and rules designed to protect individuals like Plaintiff from the harm suffered. As a direct and proximate result of their negligence and negligence per se, Plaintiff suffered damages.

233. Defendants breached their duty of care by:

- a. Failing to provide accurate and timely transcripts to Plaintiff. (See Exhibit 201A, previously filed accompanying a request for judicial notice at ECF 102, p. 10, 37)
- b. Failing to award a degree despite Plaintiff's completion of the program requirements.

- c. Failing to maintain accurate records or provide access to them. (*Id.* at 10, 37)
- d. Failing to adhere to student solicitation, recruitment, and matriculation standards.  
(*Id.* at 10)
- e. Failing to oversee PCL's compliance with regulations or implementing or enforcing policies that harmed students, such as the "non-interference" policy. (*Id.* at 2)
- f. Allowing, facilitating, or encouraging PCL to operate in a non-compliant and predatory manner by conduct including failing to address Plaintiff's complaints and concerns. (*Id.* at 2)
- g. Making untrue or misleading statements about the quality and compliance of PCL's legal education program, PCL's fundraising and operating costs, students and the State Bar's enforcement of rules and regulations. (*Id.* at 9-10, 13-14, 20, 40-41)
- h. Failing to use tuition and donations for their intended purposes. (*Id.* at 13-14)
- i. Failing to provide an accounting of funds after lawful demands. (*Id.* at 13-14)
- j. Implementing "underground rules" and failing to follow mandated administrative procedures. (*Id.* at 9)
- k. Failing to adopt or reconcile federal or state unit hour requirements. (*Id.* at 31)
- l. No due process in handling Plaintiff's exemption request. (*Id.* at 6-7)
- m. Allowing discriminatory practices in law school transfers. (*Id.* at 62)
- n. Retaliating against Plaintiff for exercising his First Amendment right to free speech.  
(*Id.* at 44)

234. The State Bar's own inspection report in 2020 identified numerous instances of PCL's non-compliance with educational standards, including inaccurate record-keeping and inadequate policies and procedures. Despite this knowledge, the State Bar's directors, officers, agents, and employees acting in their individual capacities failed to

1 take timely and effective action to protect students from the harm caused by PCL's  
2 probable negligence, likely constituting negligence per se. The State Bar defendants in  
3 their individual capacities failure to take action against Spiro and Leonard, despite being  
4 aware of the serious allegations outlined in the Sitton Letter (Exhibit 5), likely  
5 constitutes negligence and a breach of their fiduciary duty to protect the public. The  
6 State Bar's inaction allowed Spiro and Leonard to continue their alleged misconduct,  
7 directly harming Todd and others.  
8

9 235. Defendants' conduct, as described above, constitutes negligence per se as it violated  
10 statutes, regulations, and rules designed to protect individuals like Plaintiff from the  
11 harm suffered.  
12

13 236. The negligent actions of PCL and the State Bar, including the failure to provide  
14 accurate transcripts, the delay in awarding degrees, and the lack of proper oversight,  
15 have disproportionately impacted African American students. This conduct is not only  
16 negligent but also violates established anti-discrimination statutes, including Title VI and  
17 the Equal Protection Clause, thus constituting negligence per se.  
18

19 237. Plaintiff's harm is directly traceable to these negligent actions, as the policies and  
20 practices of Defendants mirror those found unconstitutional in *Keyes v. School District*  
21 *No. 1, Denver, Colo.*, where similar failures in oversight and discriminatory practices led  
22 to systemic educational inequality.  
23

24 238. As a direct and proximate result of Defendants' negligence and negligence per se,  
25 Plaintiff suffered economic damages, including but not limited to past and future lost  
26 wages, tuition and fees paid to PCL, and other out-of-pocket costs. Plaintiff also suffered  
27 non-economic damages, including emotional distress, pain and suffering, loss of  
28 enjoyment of life, and damage to reputation.

**– SEVENTH CAUSE OF ACTION –**  
**NEGLIGENT HIRING, RETENTION, AND SUPERVISION**  
**(Against The Board of Directors, Officers, and Agents of Peoples College of Law, Spiro,**  
**Pena, Gillens, Stallings, Wilson, Ching, Davytyan, Kramer, Chen, Silberger, Zuniga,**  
**Aramayo, Ayrapetyan, Nunez)**

239. Summary: This cause of action alleges that both the Peoples College of Law (PCL), the State Bar of California, and individual agents, employees, directors and officers of the organizations breached their respective duties of care by negligently hiring, retaining, and supervising their employees and agents. This negligence resulted in these individuals acting outside the scope of their employment or in violation of established laws and regulations, causing harm to the Plaintiff and other similarly situated students. The failure of both entities to adequately train, supervise, and monitor their personnel enabled them to engage in misconduct, including discriminatory practices, failure to enforce regulations, and obstruction of justice, thereby contributing to the systemic inequalities within the legal education system.

240. Plaintiff hereby realleges and incorporates by reference all prior allegations as if fully set forth herein, with particular emphasis on the following paragraphs and exhibits, which provide specific examples in support of the causes of action alleged:

- a. ¶¶ 15-37, 54-60, and 69-76: Detailing the discriminatory policies and practices, the disparate impact on African American students, and the failure of the State Bar to enforce compliance, supporting the First Cause of Action (Equal Protection Violation);
- b. ¶¶ 22-30, 56-58, and 83-90: Highlighting the denial of full and equal accommodations and the discriminatory treatment based on race, supporting the Second Cause of Action (Violation of the Unruh Civil Rights Act).

- 1 c. ¶¶ 31-45, 78-90, and 116-128: Detailing the racially discriminatory practices, the  
2 disparate impact on Plaintiff's educational opportunities, and the State Bar's  
3 knowledge of and failure to address these issues, supporting the Third Cause of  
4 Action (Title VI of the Civil Rights Act of 1964 - Racial Discrimination in  
5 Education).
- 6 d. ¶¶ 45-65 and 102-120: Demonstrating the pattern of racketeering activity, including  
7 wire and mail fraud, and the financial and emotional damages suffered by the  
8 Plaintiff, supporting the Fourth Cause of Action (RICO Damages).
- 9 e. ¶¶ 1-165: Providing the factual basis for the alleged conspiracy to deprive Plaintiff of  
10 his civil rights, supporting the Fifth Cause of Action (Conspiracy).
- 11 f. ¶¶ 1-180: Establishing the Defendants' negligent actions and their disproportionate  
12 impact on African American students, supporting the Sixth Cause of Action  
13 (Negligence and Negligence Per Se) and the Seventh Cause of Action (Negligent  
14 Hiring, Retention, and Supervision).
- 15 g. Exhibits 1, 2, 3, 5, 6, and 201A: Providing evidence of inaccurate transcripts, the  
16 State Bar's knowledge of PCL's non-compliance, communications between parties,  
17 and the State Bar's inspection report, further supporting the various causes of action.  
18  
19  
20

21 **A. PCL's Negligent Hiring, Retention, and Supervision**

- 22 241. PCL had a duty to hire or engage only those professors, deans, directors, agents, or  
23 officers who would comply with the law and had a duty to properly train and supervise  
24 all to ensure that they did so.
- 25 242. PCL breached that duty by hiring or continuously engaging Gonzalez, Pena, Spiro,  
26 Sarinana, Sarin, Bouffard, Gillens, Franco, Sanchez, Torres, Deupree, Silbiger,  
27 Pomposo, Zuniga, Aramayo, Maestas, and Venegas and then by failing to properly train  
28



1 and supervise them, PCL allowed these individuals to discriminate against Plaintiff in  
2 retaliation for his efforts to correct the issues internally and subsequent reports and  
3 requests for assistance to the State Bar.

4 243. As a proximate result of PCL's breach of duty, Plaintiff was injured, in amounts to be  
5 proven at trial.  
6

7 **B. State Bar's Negligent Hiring, Retention, and Supervision**

8 244. The State Bar of California, as the regulatory body overseeing the legal profession,  
9 had a duty to exercise reasonable care in hiring, retaining, and supervising its employees  
10 and agents, ensuring that they were competent, qualified, and would act within the scope  
11 of their employment and in accordance with applicable laws and regulations.  
12

13 245. The State Bar breached this duty by negligently hiring, retaining, and supervising its  
14 employees and agents, including but not limited to Defendants Wilson, Duran, Stallings,  
15 Hershkowitz, Ching, Leonard, Chen, Toney, Shelby, Sowell, Cardona, Davytyan,  
16 Krasilnikoff and Zuniga. This negligence resulted in these individuals acting outside the  
17 scope of their employment or in violation of established laws and regulations, causing  
18 harm to the Plaintiff and other similarly situated students.  
19

20 246. The State Bar's failure to adequately train, supervise, and monitor its personnel  
21 enabled them to engage in misconduct, including discriminatory practices, failure to  
22 enforce regulations, and obstruction of justice, thereby contributing to the systemic  
23 inequalities within the legal education system.  
24

25 247. As a direct and proximate result of the State Bar's negligent hiring, retention, and  
26 supervision, Plaintiff suffered damages, including but not limited to economic loss,  
27 emotional distress, and loss of educational and professional opportunities.  
28

1                                   **– EIGHTH CAUSE OF ACTION –**  
2                                   **VIOLATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1972**  
3                                   **(20 U.S.C. § 1681)**  
4                                   **(Against The Board of Directors, Officers, and Agents of Peoples College of Law, Spiro,**  
5                                   **Pena, Gillens, DeuPree, Franco, Gillens, Stallings, Wilson, Ching, Davytyan, Kramer,**  
6                                   **Chen, Silberger, Zuniga, Aramayo, Ayrapetyan, Nunez)**

7           248.     Summary: Plaintiff alleges that the named Defendants engaged in sex-based  
8                   retaliation following his complaints about discriminatory treatment and inaccuracies in  
9                   his academic records. Defendants, including Christina Marin Gonzalez, with the tacit or  
10                  express approval of other PCL administrators and relevant State Bar of California  
11                  officials, authored and disseminated a defamatory letter to the PCL community. This  
12                  letter falsely portrayed Plaintiff as a misogynist, leveraging harmful gender stereotypes  
13                  to damage his reputation and standing within the academic community. Additionally,  
14                  Defendant Gonzalez, assisted by others including Spiro, Pena, Gillens, Silberger,  
15                  DeuPree, and Franco, engaged in unlawful conduct such as the unauthorized recording  
16                  of videos, denial of student services, and interference with Plaintiff's business  
17                  relationships and duties as a corporate officer.

18           249.     Sex-Based Retaliation: Plaintiff alleges that Defendants, including the State Bar of  
19                   California and its officials, either engaged in or had a duty to prevent, but failed to stop,  
20                   sex-based retaliation after Plaintiff raised concerns about discriminatory treatment and  
21                   academic inaccuracies.

22           250.     Gender Stereotypes: The retaliation was motivated by and exacerbated through the  
23                   exploitation of harmful gender stereotypes, with the intent to alienate Plaintiff and  
24                   undermine his reputation.

25           251.     Incorporation by Reference: Plaintiff hereby realleges and incorporates by reference  
26                   all prior allegations as if fully set forth herein, with particular emphasis on the following  
27

1 paragraphs and exhibits, which provide specific examples in support of this cause of  
2 action:

- 3 a. ¶¶ 15-37, 54-60, and 69-76: These paragraphs detail the discriminatory policies and  
4 practices, the disparate impact on African American students, and the failure of the  
5 State Bar to enforce compliance, supporting the First Cause of Action (Equal  
6 Protection Violation).  
7
- 8 b. ¶¶ 22-30, 56-58, and 83-84: These paragraphs highlight the denial of full and equal  
9 accommodations and discriminatory treatment based on race or sex, supporting the  
10 Second Cause of Action (Violation of the Unruh Civil Rights Act).  
11
- 12 c. ¶¶ 31-45, 78-90, and 116-128: These paragraphs provide details of racially and  
13 sexually discriminatory practices, the disparate impact on Plaintiff's educational  
14 opportunities, and the State Bar's knowledge of and failure to address these issues,  
15 supporting the Third Cause of Action (Title VI of the Civil Rights Act of 1964 -  
16 Racial Discrimination in Education).  
17
- 18 d. ¶¶ 45-65 and 102-120: These paragraphs demonstrate the pattern of racketeering  
19 activity, including wire and mail fraud, and the financial and emotional damages  
20 suffered by the Plaintiff, supporting the Fourth Cause of Action (RICO Damages).  
21
- 22 e. ¶¶ 1-165: These paragraphs provide the factual basis for the alleged conspiracy to  
23 deprive Plaintiff of his civil rights, supporting the Fifth Cause of Action  
(Conspiracy).  
24
- 25 f. ¶¶ 1-180: These paragraphs establish the Defendants' negligent actions and their  
26 disproportionate impact on African American students, supporting the Sixth Cause of  
27 Action (Negligence and Negligence Per Se) and the Seventh Cause of Action  
28 (Negligent Hiring, Retention, and Supervision).

1 g. Exhibits 1, 2, 3, 5, 6, and 201A: These exhibits provide evidence of inaccurate  
2 transcripts, the State Bar's knowledge of PCL's non-compliance, communications  
3 between parties, and the State Bar's inspection report, further supporting this and  
4 other causes of action.

5  
6 252. Government Claims Act Forms: Plaintiff filed Government Claims Act forms in  
7 December 2022 and August 2024, which outline the grievances related to this and other  
8 causes of action (§§ 85-86).

9 253. Defamatory Letter: Defendant Gonzalez, with the implicit or explicit endorsement of  
10 other PCL administrators and State Bar officials, authored and disseminated a  
11 defamatory letter to the PCL community. This letter falsely portrayed Plaintiff as a  
12 misogynist and as an individual exhibiting negative male character traits, intending to  
13 damage his reputation by leveraging and amplifying harmful gender stereotypes.

14  
15 254. Unauthorized Recordings: Gonzalez, with the implicit or explicit endorsement of  
16 other administrators and State Bar officials, sought to unlawfully record videos and  
17 failed to produce these recordings upon reasonable demand. This conduct was part of the  
18 broader pattern of retaliation and harassment.

19 255. Defamation and Harm: The defamatory letter was widely circulated within the PCL  
20 community, significantly harming Plaintiff's reputation among students, faculty, and  
21 potential employers. Gonzalez's portrayal of Plaintiff as a misogynist in the letter was  
22 not based on any factual evidence but rather was designed to exploit existing gender  
23 biases, thereby alienating Plaintiff from the academic community. The State Bar, by  
24 failing to intervene or correct this defamatory action, became complicit in the sex-based  
25 retaliation.  
26  
27  
28

1       256.   State Bar's Oversight and Failure: The State Bar of California, which oversees PCL  
2       and benefits from federal financial aid, had a duty to ensure that the institution complied  
3       with Title IX, including the prohibition against sex-based discrimination and retaliation.  
4       Despite receiving government financial aid intended to support equitable educational  
5       practices, the State Bar failed to take appropriate action to prevent or remedy the sex-  
6       based retaliation against Plaintiff. This failure not only violated Plaintiff's rights under  
7       Title IX but also allowed PCL to continue benefiting from federal funds without  
8       adhering to the required anti-discrimination standards.  
9

10       257.   PCL's Benefit from Federal Funds: PCL, through its relationship with the State Bar,  
11       directly benefitted from the receipt of these funds, which were intended to support an  
12       environment free from discrimination and retaliation, including sex-based conduct. The  
13       retaliatory actions, including the dissemination of the defamatory letter, created a hostile  
14       educational environment for Plaintiff. This environment was characterized by gendered  
15       animus and was designed to undermine Plaintiff's educational experience and  
16       professional opportunities.  
17

18       258.   Continuation of Discriminatory Practices: The State Bar's failure to address this  
19       hostile environment, despite its oversight role and financial ties, contributed to the  
20       continuation and exacerbation of the discriminatory practices at PCL. The State Bar of  
21       California, as the regulatory body overseeing PCL, received federal financial aid to  
22       support equitable educational practices. By failing to prevent or remedy the sex-based  
23       retaliation against Plaintiff, the State Bar violated its obligations under Title IX.  
24

25       259.   Hostile Environment and Damages: As a result of the sex-based retaliation and the  
26       complicity of the State Bar and its officials, Plaintiff suffered significant emotional  
27       distress, damage to his academic and professional reputation, and a loss of educational  
28

1 opportunities. The hostile environment created by PCL and allowed by the State Bar  
2 exacerbated these harms, leading to long-term negative consequences for Plaintiff's  
3 career and well-being.

4 **IV.**

5 **REMEDIES**

6  
7 260. Plaintiff re-alleges and incorporates by reference all prior allegations contained in  
8 ¶¶ 1-182, insofar as they establish the Defendants' liability and the Plaintiff's entitlement  
9 to the remedies sought herein.

10 261. Claims for damages against the State Bar and its employees in their official  
11 capacities are not pursued where Eleventh Amendment immunity applies. However,  
12 Plaintiff seeks injunctive relief against the State Bar employees in their individual  
13 capacities for actions taken outside the scope of their official duties under the *Ex Parte*  
14 *Young* exception, as it seeks prospective relief to remedy ongoing violations of federal  
15 law.  
16

17 262. Todd did not receive an accurate transcript or degree and is owed money.

18  
19 **A. Monetary Relief:**

20 263. Compensatory damages in an amount to be proven at trial against all Defendants,  
21 jointly and severally, for the harm caused by their conduct as described in the First  
22 through Eighth Causes of Action.

23 264. Treble damages, totaling \$750,000.00, as allowed by Civil Code section 52(a)  
24 against all Defendants, jointly and severally, for the harm caused by their conduct as  
25 described in the Seventh Cause of Action.  
26

27 265. Punitive damages against all Defendants, jointly and severally, to punish them for  
28 their malicious and willful misconduct and to deter similar conduct in the future.

1 266. Plaintiff further seeks punitive damages against the individual defendants for their  
2 deliberate indifference to his rights under Title IX.

3  
4 **B. Declaratory Relief:**

5 267. A declaration that the State Bar's "non-interference" policy is unlawful and violates  
6 the rights of students at unaccredited law schools.

7 268. A declaration that PCL's practices, as described in this Complaint, violate the Unruh  
8 Civil Rights Act and the California Business and Professions Code.

9 269. A declaration that the State Bar failed to adequately supervise PCL's compliance  
10 with requirements and that their inaction and failure to intervene after becoming aware  
11 of the retaliatory conduct constituted violations of Plaintiff's rights based upon the  
12 findings.  
13

14  
15 **C. Injunctive Relief:**

16 270. The Plaintiff respectfully requests that the Court order the Defendants to issue a  
17 public statement acknowledging their wrongdoing and offering a sincere apology to the  
18 Plaintiff and all other students who have been adversely affected by their actions and  
19 inactions. Such a statement should explicitly recognize the harm caused by the  
20 Defendants' conduct and express a commitment to rectifying the systemic issues that  
21 allowed such harm to occur.  
22

23 271. The Plaintiff further requests that the Court order the Defendants to establish a  
24 restitution fund to compensate all students who have suffered financial or other losses as  
25 a result of the Defendants' conduct. The fund should be administered by an independent  
26 third party and provide adequate compensation for tuition, fees, lost wages, and other  
27 damages incurred by the affected students.  
28

1       272. The Plaintiff urges the Court to mandate that the State Bar implement comprehensive  
2 reforms to its accreditation and oversight processes to prevent similar abuses from  
3 occurring in the future. These reforms should include, but not be limited to, stricter  
4 standards for unaccredited law schools, increased transparency and accountability in the  
5 accreditation process, and enhanced enforcement mechanisms to address non-  
6 compliance.

7  
8       273. The Plaintiff requests that the Court order the State Bar to implement transparency  
9 and accountability measures to ensure public trust and confidence in its regulatory  
10 functions. These measures should include regular audits of its operations, public  
11 reporting of its regulatory activities, and the establishment of an independent  
12 ombudsman to address complaints and concerns from the public.

13  
14       274. Plaintiff also seeks injunctive relief requiring PCL and the State Bar to implement  
15 policies and training to prevent future violations of Title IV and/or Title IX, including  
16 proper handling of complaints and retaliation.

17       275. A permanent injunction ordering the State Bar of California to:

- 18           i. Cease enforcing the "non-interference" policy.
- 19           ii. Implement and enforce regulations to ensure accurate record-keeping at law
- 20               schools.
- 21           iii. Take affirmative steps to address the disparity in bar passage rates between
- 22               accredited and unaccredited law schools.
- 23

24       276. A permanent injunction ordering PCL to:

25

26

27

28



1 i. Cease all operations and dissolve as a corporation under Corporations Code  
2 section § 6518.

3  
4 ii. Refund all tuition and fees paid by Plaintiff and other similarly situated  
5 students.

6  
7 **D. Other Relief:**

8 i. An order directing PCL to provide Plaintiff with an accurate, complete, and official  
9 transcript reflecting all coursework and grades earned, and to confer upon Plaintiff a  
10 Juris Doctorate degree.

11 ii. An order directing the State Bar to investigate and take disciplinary action against  
12 Defendants Leonard, Wilson, Chen, and Ching for their misconduct.  
13

14 **E. Plaintiff also seeks the following remedies:**

15 i. Civil penalties under Business and Professions Code sections §§ 17206, 17206.1,  
16 and 17536 for violating the Business and Professions Code.

17 ii. The permanent removal of Defendants under Corporations Code section § 5223 as  
18 the Court deems appropriate.  
19

20 iii. A declaration of Plaintiff's "good faith" indemnification.

21 iv. Plaintiff's costs of suit and other costs under Government Code section § 12598.

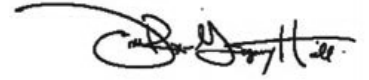
22 v. A statement of determination of PCL's Board Election Validity under California  
23 Corporations Code section § 5716.

24 vi. Any other relief that the Court deems just and equitable.  
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1 **PLAINTIFF TODD HILL VERIFIES THE TRUTH AND BELIEF IN THE TRUTH OF**  
2 **THOSE MATTERS DESCRIBED “UNDER PENALTY OF PERJURY” AND THEREFORE**  
3 **THIS COMPLAINT IS DEEMED VERIFIED UNDER THE PROVISIONS OF CODE OF**  
4 **CIVIL PROCEDURE SECTION 446.**

5 Dated: August 21, 2024

6 Respectfully submitted,


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8 Todd R. G. Hill  
9 Pro Se Litigant  
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**Plaintiff's Proof of Service**

This section confirms that all necessary documents will be properly served pursuant to L.R. 5-3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2) all pro se parties who have been granted leave to file documents electronically in the case pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by F.R.Civ.P. 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.

August 21, 2024

A handwritten signature in black ink, appearing to be "B. J. H.", is written over the date line.

**Affidavit of Todd R. G. Hill in Support of the Third Amended Complaint**

I, Todd R. G. Hill, being duly sworn, depose and state as follows:

**Personal Background and Enrollment at PCL**

1. I am the Plaintiff in this action, an African American male with an ADA-recognized disability. I enrolled at Peoples College of Law (PCL) in the Fall of 2019, seeking a Juris Doctorate degree to pursue a legal career.

**Experiences at PCL and State Bar Interactions**

2. Throughout my enrollment, I observed and experienced numerous instances where PCL failed to comply with State Bar regulations. These included:
  - a) Inaccurate record-keeping, particularly in the allocation of units for completed courses, which directly impacted my ability to transfer to another institution.
  - b) The school's misleading advertising and recruitment practices, which targeted vulnerable communities with promises of affordable legal education and social justice advocacy.
  - c) The denial of necessary educational resources, such as the refusal to provide fourth-year courses required for graduation or blocking access to my classes, despite my good academic standing.
  - d) The manipulation of student records and misrepresentation of compliance status to induce and maintain enrollment.
  - e) The school's failure to provide a quality education and accurate transcripts, hindering my ability to pursue further legal studies or employment opportunities.

1 3. I repeatedly brought these concerns to the attention of both PCL's administration and the  
2 State Bar of California. However, my complaints were met with indifference, dismissal, or  
3 outright obstruction. The State Bar, citing its "non-interference" policy, refused to intervene  
4 in my disputes with PCL, despite clear evidence of the school's non-compliance and the  
5 harm it was causing to students. When the State Bar did intervene, it appears to have aided  
6 the school to the disparate impact of the students.  
7

8 **Discriminatory Practices and Disparate Impact**  
9

10 4. I firmly believe, although I understand it may not be necessary to prove, that the State Bar's  
11 inaction and PCL's misconduct were motivated, at least in part, by discriminatory animus  
12 towards students from marginalized communities, particularly African Americans. The State  
13 Bar's own data reveals a stark disparity in bar passage rates between students from ABA-  
14 accredited and unaccredited law schools, with African American males from schools like  
15 PCL facing a disproportionately high failure rate.  
16

17 5. I believe that the State Bar's policies and practices, including its accreditation standards and  
18 "non-interference" policy, create a "separate but equal" system of legal education that  
19 disadvantages students from unaccredited law schools and perpetuates systemic inequalities  
20 within the legal profession.  
21

22 6. PCL's targeted recruitment of students from disadvantaged backgrounds, coupled with its  
23 failure to provide adequate support and resources, created a hostile environment for these  
24 students. The high attrition rate among African American students at PCL further supports  
25 the claim of discriminatory practices.  
26  
27  
28

- 1 7. The State Bar's failure to enforce its regulations and adequately oversee PCL's operations  
2 allowed the school to continue its predatory and discriminatory practices, resulting in  
3 significant financial and emotional harm to me and other students.  
4

5 **Specific Instances of Harm and State Bar's Knowledge**

- 6 7. As a direct result of the defendants' actions, I have suffered substantial economic and non-  
7 economic damages. These include:  
8  
9 a) Loss of tuition and fees paid to PCL  
10  
11 b) Emotional distress and anxiety caused by the uncertainty surrounding my academic  
12 standing and future career prospects  
13  
14 c) Loss of educational and professional opportunities due to the lack of an accurate  
15 transcript and a valid law degree  
16  
17 8. The State Bar was aware of PCL's non-compliance and the discriminatory impact of its  
18 practices. This knowledge is evident from:  
19  
20 a) The 2020 Inspection Report, which highlighted PCL's numerous regulatory  
21 violations  
22  
23 b) The formal grievance filed by Nancy Popp, detailing the school's misconduct  
24  
25 c) My repeated complaints and communications with the State Bar, documenting the  
26 ongoing issues at PCL

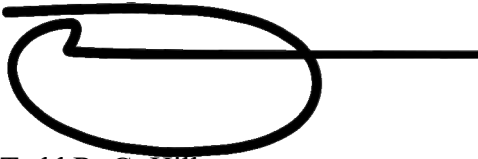
27 **Conclusion**

- 28 9. Despite this knowledge, the State Bar failed to take meaningful action to protect students or  
enforce its regulations. This inaction perpetuated a system of inequality and injustice,

1 denying me and other students the opportunity to achieve our dreams and contribute to the  
2 legal profession.

3  
4 I declare under penalty of perjury under the laws of the State of California that the foregoing is true  
5 and correct.

6 Executed on this 13<sup>th</sup> day of August 2024, at Quartz Hill, California.

7   
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9 Todd R. G. Hill  
10 Plaintiff, Pro Se Litigant

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EXHIBIT 1





Todd Hill &lt;toddryangregoryhill@gmail.com&gt;

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**transcripts and units**

1 message

**Ira Spiro** <ira@spirolawcorp.com>

Tue, Aug 3, 2021 at 5:13 PM

To: Nancy Popp <npopp@peoplescollegeoflaw.edu>, Anna Hawkins <pclhawkins@gmail.com>, "registrarguildlawschool@outlook.com" <registrarguildlawschool@outlook.com>, Todd Hill <toddryangregoryhill@gmail.com>, "Christina Gonzalez (christina.marin.gonzalez@gmail.com)" <christina.marin.gonzalez@gmail.com>

With regard to Nancy's insistence, in her emails below, that a "notation/attachment" be sent along with transcripts, at first I thought there would be no problem in sending a letter with content she wants. Then, earlier today, it occurred to me that I had best call the State Bar about it. I spoke to Natalie Leonard today. Then I wrote her a confirming email, as follows:

**From:** Ira Spiro**Sent:** Tuesday, August 3, 2021 4:39 PM**To:** Natalie Leonard (Natalie.Leonard@calbar.ca.gov) Natalie.Leonard@calbar.ca.gov**Subject:** RE: explanation to another law school of units on Peoples College of Law's transcripts

Dear Ms. Leonard

I'm writing to confirm information you gave me, this time in our telephone conversation of today, Tuesday, August 3, regarding Peoples College of Law (PCL).

I explained that I have been requested to send to another law school, along with students' transcripts, a notation or attachment explaining PCL's designation of quarter courses as 2 units, not three. I said I was thinking of a letter from me that would accompany the transcript rather than something attached to the transcript or written on it. I noted that our quarter courses are 10 weeks, with 3 hours of instruction per week. To use the words of the request I received, it was that the notation or attachment should state "the inconsistent listing of Semester Units for Quarter Classes and clarifying the correct Quarter Units (3.0) for each 1L Course." (Note that I disagree with that quoted characterization.)

You explained that I, and Peoples College of Law should not send such a communication, because it could be interpreted as an improper solicitation, by PCL or me, of the other law school to credit the students with more units for the students' classes at PCL than the other law school would otherwise credit. You explained that for the other law school to do that would be a violation of State Bar rules.

You also explained that the communication could be considered an improper alteration of the transcript.

Sincerely,

*Ira Spiro,*

Thus, I will not send a notation or attachment or letter with content requested by Nancy, and in my opinion nobody else on behalf of PCL should do so.

*Ira Spiro, Attorney at Law*

*310-235-2350*

***Please Correspond by Email Only***

***I do not see Post Office Mail, Fed Ex, UPS, etc. promptly***

***Phone is land line, does not receive texts***

*Los Angeles, Cal.*

*ira@spirolawcorp.com*

*website: spirolawcorp.com*

*pronouns: he*

---

**From:** Nancy Popp <npopp@peoplescollegeoflaw.edu>

**Sent:** Tuesday, August 3, 2021 9:02 AM

**To:** Ira Spiro <ira@spirolawcorp.com>; Anna Hawkins <pclhawkins@gmail.com>; registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>; Todd Hill <toddryangregoryhill@gmail.com>; Christina Gonzalez (christina.marin.gonzalez@gmail.com) <christina.marin.gonzalez@gmail.com>

**Subject:** Re: transcript

Ira,

Please stop removing the PCL Community Members who are CC'ed.

I will repeat myself for a third time; please do NOT ask me to clarify again:

**Do NOT send an Official Transcript to NWU before sending me the Transcript with the Notation/Attachment addressing the Unit issue included for my review.**

This is a serious error that reflects on the dysfunction of PCL as an institution; not on me as a student. I will communicate with NWU if needed. The duty of PCL Administrators is to send out accurate student records (or as near as accurate as possible).

To that end, the Notation/Attachment MUST be included, and it MUST be accurate in describing the failure of PCL to ascribe correct Quarter Units for all quarter classes.

Please stop making excuses and delays; simply do the right and ethical thing.

--

Nancy Popp

People's College of Law, 1L ('24)

---

**From:** Ira Spiro <ira@spirolawcorp.com>  
**Sent:** Tuesday, August 3, 2021 8:54 AM  
**To:** Nancy Popp <npopp@peoplescollegeoflaw.edu>  
**Subject:** RE: transcript

You're right, I didn't realize you didn't want the transcript to go out without the explanation about units. Nancy, are you sure that's the way you want it? Some have pointed out that the recipient school probably would not be concerned about the units but the explanation might cause them to become concerned. We sent a transcript without an explanation to NW Cal several months ago for another student, and we heard nothing back from the student or NW Cal about the units or anything else about the transcript. I think the student or Anna or someone would have contacted me if the school did raise a concern with the transcript.

Anyway, I'll send it with or without the explanation – your choice.

*Ira Spiro*

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---

**From:** Nancy Popp <npopp@peoplescollegeoflaw.edu>  
**Sent:** Monday, August 2, 2021 10:55 PM  
**To:** Ira Spiro <ira@spirolawcorp.com>  
**Cc:** registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>; Christina Gonzalez (christina.marin.gonzalez@gmail.com) <christina.marin.gonzalez@gmail.com>; Todd Hill <toddryangregoryhill@gmail.com>  
**Subject:** Re: transcript

Ira, I am not sure you read my reply.

To repeat my answer to your question, do NOT send an Official Transcript to NWU before sending me the Transcript with the Notation/Attachment addressing the Unit issue included for my review.

--

Nancy Popp

People's College of Law, 1L ('24)

**From:** Ira Spiro <ira@spirolawcorp.com>  
**Sent:** Monday, August 2, 2021 9:16 PM  
**To:** Nancy Popp <npopp@peoplescollegeoflaw.edu>  
**Subject:** RE: transcript

Thanks for that email, Nancy. My plan is to send your transcript, showing 2 units for quarters, to NW Cal tomorrow, Tuesday.

*Ira Spiro*

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---

**From:** Nancy Popp <npopp@peoplescollegeoflaw.edu>  
**Sent:** Monday, August 2, 2021 6:57 PM  
**To:** Ira Spiro <ira@spirolawcorp.com>; registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>  
**Subject:** Re: transcript

Ira,

Please keep the email responses to my Transcript Request in the same thread, for clarity and to prevent miscommunication.

I would prefer an accurate Official Transcript; however, the fact is that the Official Transcript to NWU needs to be mailed out as soon as possible.

As I stated in my email of 12:47pm today:

*I suggest Rebecca as Admin/Registrar work harmoniously with Brian, Anna and other former PCL registrars to draft an appropriate letter to accompany ALL student transcripts and start the application to the CA State Bar immediately to make the change. This can be done diligently without panic or any created conflict or drama.*

Transcript Requests must be filled accurately and promptly within a reasonable time. I understand the problems with inaccuracies in PCL Transcripts are long-standing over many years, were overlooked and not corrected, and now require CBE applications and processes to correct them. Again, those processes must begin immediately without delay.

In the meantime, each PCL Student Transcript will need a notation on the Transcript stating the inconsistent listing of Semester Units for Quarter Classes and clarifying the correct Quarter Units (3.0) for each 1L Course.

Please send me the Transcript with the Notation/Attachment included for review.

Thank you,

--

Nancy Popp

People's College of Law, 1L ('24)

---

**From:** Ira Spiro <ira@spirolawcorp.com>

**Sent:** Monday, August 2, 2021 1:02 PM

**To:** Nancy Popp <npopp@peoplescollegeoflaw.edu>

**Subject:** FW: No changes in transcript units or course unit s-- per State Bar

Nancy, in view of all this, I plan now to send your transcript to NW Cal showing a quarter course as 2 units, i.e. as attached.

**Please let me know today if you want me NOT to do that.**

*Ira Spiro*

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---

**From:** Ira Spiro <ira@spirolawcorp.com>

**Sent:** Monday, August 2, 2021 12:37 PM

**To:** Nancy Popp <npopp@peoplescollegeoflaw.edu>; registrarguildlawschool@outlook.com <registrarguildlawschool@outlook.com>; Anna Hawkins <pdhawkins@gmail.com>

**Subject:** RE: transcript

Nancy, I left you a voicemail about this just now, so please give me a call. I was told by the State Bar just now in very strong terms that I must not make this change in your transcript, or anyone's transcript, that it would be a retroactive change, which is not permitted. I was also told that for PCL to change the units for a quarter from 2 to 3 would be considered a "major change" under State Bar rules, which means PCL would have to apply to the Committee of Bar Examiners for the change.

BUT, I certainly could write a letter to go along with your transcript, any transcript, to explain the meaning of the 2 units per quarter, and anything else so long as it's true.

*Ira Spiro, Attorney at Law*

310-235-2350

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**Phone is land line, does not receive texts**

Los Angeles, Cal.

ira@spirolawcorp.com

website: spirolawcorp.com

pronouns: he

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---

**From:** Nancy Popp <npopp@peoplescollegeoflaw.edu>

**Sent:** Monday, August 2, 2021 11:27 AM

**To:** Ira Spiro <ira@spirolawcorp.com>; registrarguildlawschool@outlook.com; Anna Hawkins <pdlhawkins@gmail.com>

**Subject:** Re: transcript

Thank you for changing all the needed values for units. This transcript appears to be correct.

Please confirm when the official corrected transcript is mailed to NWU.

--

Nancy Popp

People's College of Law, 1L ('24)

---

**From:** Ira Spiro <ira@spirolawcorp.com>

**Sent:** Monday, August 2, 2021 10:57 AM

**To:** Nancy Popp <npopp@peoplescollegeoflaw.edu>

**Subject:** RE: transcript

Nancy, I had to change your transcript by hand, i.e. with the pdf editing function. The result is attached. Let me know if the attached is OK with you, and fi so I'll go ahead and sign it.

I believe I couldn't change it in Populi because I would have had to change the units for all first year students, and PCL hasn't decided to do that.

It's not just the units per course that had to be changed. Also changed are:

- "earned credits" per course per quarter
- total earned credits per course per quarter

- "points" per course per quarter
- total points per quarter
- total earned credits for the academic year (at the bottom)
- total points for the academic year (also at the bottom)

Of course the GPA didn't change.

Thanks for telling me about Rebecca's email address.

*Ira Spiro, Attorney at Law*

310-235-2350

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**From:** Nancy Popp <npopp@peoplescollegeoflaw.edu>

**Sent:** Monday, August 2, 2021 10:30 AM

**To:** Ira Spiro <ira@spiralawcorp.com>

**Cc:** Rebecca Hirsch (PCLregistrar@peoplescollegeoflaw.edu) <PCLregistrar@peoplescollegeoflaw.edu>; registrarguildlawschool@outlook.com; Anna Hawkins <pclhawkins@gmail.com>; Brian Godfrey (cityoffantastic@yahoo.com) <cityoffantastic@yahoo.com>; Ira Spiro <ira@spiralawcorp.com>; Todd Hill <toddryangregoryhill@gmail.com>; Christina Gonzalez (christina.marin.gonzalez@gmail.com) <christina.marin.gonzalez@gmail.com>

**Subject:** Re: transcript

Thank you very much Ira, I appreciate it.

It's also fine to include a Note on the actual transcript explaining the assignment of credits, if that sounds appropriate to you. It might not be a bad idea to do that on PCL transcripts overall, actually.

FYI, Rebecca's 'PCLregistrar@peoplescollegeoflaw.edu' email address is regularly bouncing back.

--

Nancy Popp

People's College of Law, 1L ('24)

---

**From:** Ira Spiro <ira@spirolawcorp.com>  
**Sent:** Monday, August 2, 2021 10:19 AM  
**To:** Nancy Popp <npopp@peoplescollegeoflaw.edu>  
**Subject:** RE: transcript

Sure, I'll change it if I can. I'll try right now. I believe I can change it, and I'll let you know right away if there's a problem in doing so.

I don't think the number of units for quarter courses needs changing from 2 to 3 on any transcript, in part because as you can see on your transcript, the correct number of hours, the hours required by the State Bar, is shown near the bottom, but I'll go ahead and change yours and send it to you.

*Ira Spiro, Attorney at Law*

310-235-2350

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---

**From:** Nancy Popp <npopp@peoplescollegeoflaw.edu>  
**Sent:** Monday, August 2, 2021 10:06 AM  
**To:** Ira Spiro <ira@spirolawcorp.com>  
**Cc:** pcdregistrar@peoplescollegeoflaw.edu; registrarguildlawschool@outlook.com; Anna Hawkins <pdhawkins@gmail.com>; Brian Godfrey (cityoffantastic@yahoo.com) <cityoffantastic@yahoo.com>; Ira Spiro <ira@spirolawcorp.com>; Todd Hill <toddryangregoryhill@gmail.com>; Christina Gonzalez (christina.marin.gonzalez@gmail.com) <christina.marin.gonzalez@gmail.com>  
**Subject:** Re: transcript

Ira, based on the concerns that Todd Hill has raised on how PCL assigns credit for Quarter classes, it appears my credits on this transcript are incorrect.



*One quarter unit is defined as ten (10) hours of classroom instruction. Generally, one hour of instruction per week for ten (10) weeks equals one quarter unit of credit.*

Based on this, each PCL Quarter Class would result in 3.0 Quarter credits per class, since we are in-class 3 hours/week for 10 weeks. These are Quarter credits, as clearly shown in the transcript, not Semester credits.

One semester credit is equivalent to 1.5 Quarter credits, and the Bar is aware of this. It is important that PCL transcripts reflect the correct credits as assigned by the CBE and used by the vast majority of law schools (unaccredited and accredited). It does not make sense, nor is it practical, to hold Quarter Courses and assign Semester Credits to those courses; this will only confuse other schools who review PCL's transcripts. Accuracy is extremely important so that all PCL Students receive proper credit for their work.

Please correct the assignment of credits per class in my transcript to 3 Quarter Units per class before sending it to NWU. Please send me a corrected copy of my unofficial transcript for review prior to sending a corrected official copy.

Thank you,

--

Nancy Popp

People's College of Law, 1L ('24)

---

**From:** Nancy Popp <npopp@peoplescollegeoflaw.edu>

**Sent:** Thursday, July 29, 2021 3:34 PM

**To:** Ira Spiro <ira@spirolawcorp.com>

**Cc:** pclregistrar@peoplescollegeoflaw.edu <pclregistrar@peoplescollegeoflaw.edu>; registrarguildlawschool@outlook.com <registrarguildlawschool@outlook.com>; Anna Hawkins <pclhawkins@gmail.com>

**Subject:** Re: transcript

Ira,

Thank you for processing my request for an official transcript promptly. I have emailed Rebecca Hirsch twice directly about obtaining my transcript but have not received a reply from her.

I have reviewed the Transcript and do not see any errors; all the information appears to be correct.

Yes, I am aware that Rebecca has not been available for Registrar Training; as a result, Anna has the PCL Seal and letterhead in her possession.

I'm sure Anna would be willing to stamp and print my official transcript given adequate notice; she's been very supportive of students and generous in helping out while there is still a gap in filling her role and duties at PCL.

PLEASE NOTE- the Official Transcript must be mailed to NWC, they do not accept electronic transcripts.

Thank you,

--

Nancy Popp

People's College of Law, 1L ('24)

---

**From:** Ira Spiro <ira@spiralawcorp.com>  
**Sent:** Thursday, July 29, 2021 10:12 AM  
**To:** Nancy Popp <npopp@peoplescollegeoflaw.edu>  
**Subject:** transcript

Nancy, I generated your transcript just now from Populi. It had Anna's signature on it, and that isn't right for a transcript now, so I changed it to mine.

**PLEASE EMAIL ME BACK, telling me if you think there are errors in the attached transcript, or if you think it's OK.**

I don't want to send an erroneous I believe there have been erroneous entries into Populi that could affect transcripts.

The transcript can't be sent out because Anna has at her home the materials necessary to do it, the seal and the special transcript paper. We can't get them from her till Friday. She wrote that she's not available today.

*Ira Spiro, Attorney at Law*

310-235-2350

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# People's College of Law

660 S. Bonnie Brae, L.A., CA 90057 Tel.:

213 483-0083 Fax: 213 483-2981

E-mail: [administrator@peoplescollegeoflaw.edu](mailto:administrator@peoplescollegeoflaw.edu)

*"Over 48 Years of Educating People's Lawyers"*

Hector C. Pefia, J.D. - President

Pascual J. Torres, Esq. - Dean

September 2, 2022

Nathalie Hope  
Program Specialist  
Office of Admissions  
State Bar of California  
845 S. Figueroa St.,  
Los Angeles, CA 90017

**RE: Todd Hill**

Dear Nathalie Hope,

Enclosed is the official application in connection with the application for evaluation sent by PCL on September 2, 2022.

If you have any questions please don't hesitate to give us a call.

J.D  
President and Chair of the Board  
People's College of Law

OFFICE OF ADMISSIONS  
LOS ANGELES OFFICE

SEP 06 2022

RECEIVED

# Peoples College of Law

## Official Transcript

660 S. Bonnie Brae, Los Angeles, CA 90057

Phone: (213)483-0083, Fax:

**RECIPIENT:**

Nathalie Hope  
State Bar of California  
845 S Figueroa St.  
Los Angeles, CA 90017

**STUDENT:**

Hill, Todd  
Student ID: 007-2019  
SSN (Last 4): XXXXXX183 I  
Enrollment Date: Sep 3, 2019  
Previous Degree(s): BA

**Degrees/Certificates**

Juris Doctorate

Pursuing as of 9/3/2019

**Transcript****2019-2020: Fall Quarter - 09/03/2019 - 11/15/2019**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONTI	Contracts I	30.00	3.00	A	12.00
LEGAL WRTGI	Legal Writing I	30.00	3.00	A-	11.10
TORTI	Torts I	30.00	3.00	A-	11.10
<b>Totals</b>		<b>90.00</b>	<b>9.00</b>	<b>Term GPA: 3.80</b>	<b>Cum. GPA: 3.80</b>

**2019-2020: Winter Quarter- 11/18/2019 - 02/21/2020**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONTII	Contracts II	30.00	3.00	A	12.00
CRIM LI	Criminal Law I	30.00	3.00	C-	5.10
LEGAL WRTGII	Legal Writing II	30.00	3.00	8+	9.90
TORT II	Torts II	30.00	3.00	8-	8.10
<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 2.93</b>	<b>Cum. GPA: 3.30</b>

**2019-2020: Spring Quarter - 03/02/2020 - 05/15/2020**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONT III	Contracts III	30.00	3.00	A	12.00
CRIMLIH	Criminal Law II*	30.00	3.00	A-	11.10
LEGAL WRTGIII	Legal Writing III	30.00	3.00	A	12.00
TORTIII	Torts III*	30.00	3.00	A-	11.10
<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 3.85</b>	<b>Cum. GPA: 3.50</b>

**2020-2021: Fall Quarter - 08/31/2020 - 11/13/2020**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONSTLI	Constitutional Law I*	30.00	3.00	A-	11.10
CRIM PROC I	Criminal Procedure I*	30.00	3.00	A-	11.10
TRIAL ADVOC	Trial Advocacy	30.00	3.00	p	--
<b>Totals</b>		<b>90.00</b>	<b>9.00</b>	<b>Term GPA: 3.70</b>	<b>Cum. GPA: 3.53</b>

**2020-2021: Winter Quarter- 11/14/2020 - 02/20/2021**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST LIi	Constitutional Law II*	30.00	3.00	A	12.00
CRIMPROC II	Criminal Procedure II*	30.00	3.00	A+	12.90
REMI	Remedies I*	30.00	3.00	C	6.00
WILLS/TRI	Wills & Trusts*	30.00	3.00	8-	8.10
<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 3.25</b>	<b>Cum. GPA: 3.46</b>

**2020-2021: Spring Quarter - 03/01/2021 - 05/14/2021**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST L III	Constitutional Law III*	30.00	3.00	A	12.00

•LEGALRES Legal Research	30.00	3.00	p	--
REM II Remedies II*	30.00	3.00	D+	3.90
WILLSffR II Wills & Trusts II*	30.00	3.00	B	9.00
<b>Totals</b>	<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 2.77</b>	<b>Cum. GPA: 3.36</b>

**2021-2022: Fall Quarter - 08/30/2021 - 11/13/2021**

Course#	Name	Earned Hours	Earned Units	Grade	Points
BUSN	Business Transactions Clinical Course	30.00	3.00	B+	9.90
TRANS CLINIC					
CIVPROCJ	Civil Procedure I*	30.00	3.00	A+	12.90
EVIDI	Evidence I*	30.00	3.00	A-	11.10
REAL PROP I	Real Property I*	30.00	3.00	B+	9.90
<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 3.65</b>	<b>Cum. GPA: 3.41</b>

**2021-2022: Winter Quarter - 11/15/2021 - 02/19/2022**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CIV PROC II	Civil Procedure II*	30.00	3.00	A+	12.90
CORP & BUS ASSOC	Corporations & Business Associations*	30.00	3.00	B	9.00
EVIDII	Evidence II*	30.00	3.00	A-	11.10
REALPROP II	Real Property II*	30.00	3.00	C	6.00
<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 3.25</b>	<b>Cum. GPA: 3.39</b>

**2021-2022: Spring Quarter - 02/28/2022 - 05/14/2022**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CIV PROC III	Civil Procedure III*	30.00	3.00	C-	5.10
CMTY PROP	Community Property*	30.00	3.00	C-	5.10
PROFL RESP	Professional Responsibility*	30.00	3.00	D	3.00
REAL PROP III	Real Property III*	30.00	3.00	C+	6.90
REM II	Remedies II*	--	-	AUD	--
<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 1.68</b>	<b>Cum. GPA: 3.17</b>

**Cumulative**

	Earned Hours	Earned Units	Points	GPA
Resident	1,020.00	102.00	304.50	3.17
Transfer	0.00	0.00	0.00	0.00
Overall	1,020.00	102.00	304.50	3.17

(1) One semester unit is defined as fifteen (15) hours of classroom instruction. Generally, one hour of instruction per week for fifteen (15) weeks equals one semester unit of credit.

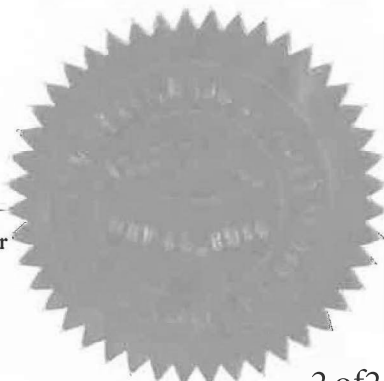
(2) One quarter unit is defined as ten (10) hours of classroom instruction. Generally, one hour of instruction per week for ten (10) weeks equals one quarter unit of credit.

AUD=Audit  
FN =Failure for non-attendance  
I = Incomplete  
IP = In Progress  
R=Retake  
W=Withdraw

FYLS Information  
Date(s) Taken: --  
Date Passed: --

CBE Information  
Date(s) Taken: --  
Date Passed: --

  
Adriana Zuniga Nuñez - Registrar



# Peoples College of Law

## Official Transcript

660 S. Bonnie Brae, Los Angeles, CA 90057

Phone: (213)483-0083, Fax:

**RECIPIENT:****STUDENT:**

Hill, Todd

Student ID: 007-2019

SSN (Last 4, i, j, .: ---)

Enrollment Date: Sep 3, 2019

Previous Degree(s): B A

**Degrees/Certificates****Juris Doctorate**

Pursuing as of 9/3/2019

**Transcript****2019-2020: Fall Quarter - 09/03/2019 - 11/15/2019**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONT I	Contracts I	30.00	3.00	A	12.00
LEGAL WRTGI	Legal Writing I	30.00	3.00	A-	11.10
TORT I	Torts I	30.00	3.00	A-	11.10
<b>Totals</b>		<b>90.00</b>	<b>9.00</b>	<b>Term GPA: J.80</b>	<b>Cum. GPA: 3.80</b>

**2019-2020: Winter Quarter - 11/18/2019 - 02/21/2020**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONT II	Contracts II	30.00	3.00	A	12.00
CRIM L I	Criminal Law I	30.00	3.00	C-	5.10
LEGAL WRTG II	Legal Writing II	30.00	3.00	B+	9.90
TORT II	Torts II	30.00	3.00	B-	8.10
<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 2.93</b>	<b>Cum. GPA: 3.30</b>

**2019-2020: Spring Quarter - 03/02/2020 - 05/15/2020**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONT III	Contracts III	30.00	3.00	A	12.00
CRIM L II	Criminal Law II	30.00	3.00	A-	11.10
LEGAL WRTG III	Legal Writing III	30.00	3.00	A	12.00
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<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 3.85</b>	<b>Cum. GPA: 3.30</b>

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Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST L I	Constitutional Law I	30.00	3.00	A-	11.10
CRIM PROC I	Criminal Procedure I*	30.00	3.00	A-	11.10
TRIAL ADVOC	Trial Advocacy	30.00	3.00	p	--
<b>Totals</b>		<b>90.00</b>	<b>9.00</b>	<b>Term GPA: 3.70</b>	<b>Cum. GPA: 3.53</b>

**2020-2021: Winter Quarter - 11/14/2020 - 02/20/2021**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST L II	Constitutional Law II	30.00	3.00	A	12.00
CRIM PROC II	Criminal Procedure II	30.00	3.00	A+	12.90
REM I	Remedies I*	30.00	3.00	C	6.00
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<b>Totals</b>		<b>120.00</b>	<b>12.00</b>	<b>Term GPA: 3.25</b>	<b>Cum. GPA: 3.46</b>

**2020-2021: Spring Quarter - 03/01/2021 - 05/14/2021**

Course#	Name	Earned Hours	Earned Units	Grade	Points
CONST L III	Constitutional Law III	30.00	3.00	A	12.00

ID #:6655

Exhibit 1, pg. 5 of 9

LEGAL RES	Legal Research	30.00	3.00	p	
REMH	Remedies II*	30.00	3.00	D+	3.90
WILLS/TR II	Wills & Trusts II*	30.00	3.00	B	9.00
Totals		120.00	12.00	Term GPA: 2.77	Cum.GPA:3.36

## 2021-2022: Fall Quarter - 08/30/2021 • 11/13/2021

Course#	Name	Earned Hours	Earned Units	Grade	Points
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TRANS					
CLINIC					
CIVPROCI	Civil Procedure I*	30.00	3.00	A+	12.90
EVIDI	Evidence I*	30.00	3.00	A-	11.10
REAL PROP I	Real Property I*	30.00	3.00	B+	9.90
Totals		120.00	12.00	Term GPA: J.65	Cum. GPA: 3.41

## 2021-2022: Winter Quarter - 11/15/2021 • 02/19/2022

Course#	Name	Earned Hours	Earned Units	Grade	Points
CIV PROC II	Civil Procedure II*	30.00	3.00	A+	12.90
CORP & BUS	Corporations & Business Associations*	30.00	3.00	B	9.00
ASSOC					
EVIDII	Evidence II*	30.00	3.00	A-	11.10
REAL PROP II	Real Property II*	30.00	3.00	C	6.00
Totals		110.00	12.00	Term GPA: 3.25	Cum. GPA: 3.39

## 2021-2022: Spring Quarter- 02/28/2022 -05/14/2022

Course#	Name	Earned Hours	Earned Units	Grade	Points
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CMTY PROP	Community Property*	30.00	3.00	C-	5.10
PROFL RESP	Professional Responsibility*	30.00	3.00	D	3.00
REAL PROP III	Real Property III*	30.00	3.00	C+	6.90
REMH	Remedies II*			AUD	
Totals		120.00	12.00	Term GPA: 1.68	Cum.GPA:3.17

## Cumulative

	Earned Hours	Earned Units	Points	GPA
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Transfer	0.00	0.00	0.00	0.00
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AUD=Audit

FN = Failure for non-attendance

I = Incomplete

IP = In Progress

R=Rctake

W=Withdraw

FYLS Information

Date(s) Taken: -

Date Passed: -

CBE Information

Date(s) Taken: -

Date Passed: -

Adriana Zuñiga Nuñez - Registrar





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EXHIBIT 2

## **FORMAL LETTER of GRIEVANCE**

TO: People's College of Law, Board of Directors  
FROM: Nancy Popp, 1L '24  
DATE: June 15<sup>th</sup>, 2021

### **RE: Serious Topics of Concern in the Functioning of People's College of Law**

To the PCL Board, all Committee and Community Members:

I am taking the time away from my study and preparation for the First Year Law Student Exam to write this grievance because of the high level of my concerns for the functionality of People's College of Law (PCL).

I am considering whether I want to continue my law studies at PCL in light of the high degree of dysfunction of school governance, lack of clear structure and effectiveness in the day-to-day operations of the school, inconsistent standards of instruction and course rubrics, and a general lack of regard for the students, 1L's in particular.

I understand this has been a particularly challenging year. The COVID pandemic's effect on the PCL Community (financial stress, illness, general anxiety and quarantine fatigue), the resulting transition to all-online instruction, the death of Board Member and 3L Robert Wymss and the departure of additional PCL Board Members have all had enormous impact the functioning of the school.

While these pandemic pressures have aggravated the issues addressed in this Grievance, most are long-term problems that have persisted since PCL was re-established in 2015.

I have reviewed the CA State Bar's Report on PCL (Agenda Item O-402 for the CBE Meeting Date June 18<sup>th</sup>, 2021) and its recommendations for Compliance with CA State Bar Guidelines; it is clear there are numerous overlapping and ongoing with this Grievance which still need addressing. It is past time to identify them at the source, to enable our school to function as the Cooperative Community Educational Institution it was intended to be by its founders.

### **1. Tuition Collection/Methods of Discipline to Collect**

PCL issues Tuition Invoices at the start of each Quarter (Fall, Winter, Spring). Accountability Fees are due in the Spring Quarter and are offset by time volunteered at the school. Upon the end of the Winter 2020 Quarter 1L grades were inaccurate and incomplete due to an instructor not turning in grades for the course.

As of April 2021 2Q grades remained incomplete. I wrote an email to Dean Spiro on April 8<sup>th</sup> stating,

*"I'll be glad to pay my 3Q tuition as soon as all accurate 2Q grades are received."*

On May 11<sup>th</sup> I received an email from the PCL Administrator stating that the Treasurer and Dean were inquiring about tuition owed. When I inquired about the missing 2Q grades, Dean Spiro emailed me on May 17<sup>th</sup> stating,

*"Once the grades for winter and spring quarters are posted, our rules require that you pay the tuition, or have a payment plan, before PCL will send to the Bar your certification to take the FYLSX."*

I replied to Dean Spiro on May 18<sup>th</sup>:

*"As soon as the grades are completed, please let me know. I'll keep an eye out and pay tuition promptly. Again, I fully understand the difficulty involved and very much appreciate everyone's efforts, including yours Ira. However, please don't penalize me for a tight turnaround that is not in my control. It's clear that grading will likely go right up to the certification deadline. I feel strongly that any rules must be adhered to equally by all parties, and not selectively applied; otherwise, hypocrisy results and trust breaks down."*

I take issue with the school's Dean stating they would withhold my certification for the FYSLX due to tuition being owed; particularly in light that my tuition was being withheld due of PCL's failure of their duty to provide grades in a reasonable and/or timely manner.

The CA State Bar's *Rules for Unaccredited Law Schools* state:

Division 2, Honesty & Integrity

*2.2 Honesty Regarding Finances.*

*(A) Honesty in Financial Affairs Generally.*

*A law school must conduct its financial affairs honestly and in a forthright manner. Financial considerations must not adversely affect a law school's educational program, admission and academic decisions, or academic standards.*

*2.8 Fairness in Student Discipline*

*A law school must have a written policy for the imposition of student discipline and that policy must be fair.*

*(D) The law school's imposition of student discipline policy does not apply to academic probation or disqualification; other failures to meet academic standards; or to failure to pay tuition, fees, or charges billed to the student.*

Inhibiting a 1L from moving ahead to their 2L year harms the school by preventing students from advancing and creates even greater attrition than is already occurring at PCL. Student attrition is both a fiscal problem and a symbolic failure of the school's ability to achieve its goals and purpose. In 2020-21 nearly half (6 out of the original 14 students, or 43%) of PCL's 1Ls withdrew or declined to take the FYLSX to allow them to advance to their 2L year. It is a violation of the CA State Bar's Guidelines to discipline a student by withholding grades or certification for a First Year Law Student Exam due to tuition owed.

I am aware that these threats of discipline due to non-payment of tuition have occurred with multiple students at PCL; this indicates a serious pattern of behavior that violates CA State Bar guidelines, which must be addressed and must cease immediately.

**2. Transparency of PCL Structures/Administration**

When I informed PCL's Board President that I was in the process of writing this Formal Grievance, I inquired as to where and to whom it should be communicated and sent. A conversation revealed that there is not a transparent structure of PCL Committees or Members of those Committees.

The PCL Bylaws, ratified May 22<sup>nd</sup> 2017, list five 'regular and standing Committees': Admissions/Recruitment, Faculty Curriculum, Finance/Fundraising, Building/Library and Accountability and an Elections Committee on an as-needed basis. PCL Committees are set up on the school's online platform Populi. However, not all Committees are represented; of the above five standing Committees, only Admissions/Recruitment, Building/Library and Accountability and the Faculty Curriculum Committee (FCC) are represented in Populi.

The Board of Directors Populi Group, which exists, is not publicly listed or able to be contacted through Populi. Most Committees do not list their members; it is not possible to discover who sits on which Committees or how to contact the members directly. If a student has questions regarding the governance of the school, or who is making decisions about Curriculum, Faculty, Finances or other decision-making bodies whose decisions directly impact students, there is little to no clarity or transparency about who to contact or how to reach them. It is for this very reason that 3L Kevin Clinton took the step of emailing the broader PCL Community on May 25<sup>th</sup> a sincere effort to raise the alarm regarding violations of the CA State Bar Guidelines for back tuition and disciplinary procedures (see item 1, *Supra*).

PCL's day-to-day operations are highly dysfunctional; the current Board, Dean and Committees do not share information openly, seemingly commit to tasks but do not follow through, and waste energy on conflict and infighting. It is my belief that the majority of the PCL community are still traumatized from the time of the 'takeover' five years previously, and are continuing to enact this dysfunction in their relations amongst one another, creating problems instead of simple, effective functional structures and solutions. Many Board and Committee Members have left PCL in the past two years due to their unwillingness to engage in these hostile exchanges, leaving too few people for the tasks at hand; a handful of individuals are making the majority of the decisions with very little transparency.

The Executive Committee (EC) is a key example of this lack of transparency. Although this Committee was established by a vote during a Board of Directors meeting in 2017, its role is unclear and its members are not made public. The current PCL Student Handbook states that payment plans for back tuition owed must be approved by the EC; also, that changes to student transcripts must be approved by the EC. Students appealing Academic Disqualification and Student Grievances must be reviewed by the EC. PCL's Student Handbook states that "...the Community Board may delegate some or all of its functions to the Executive Committee...". Students with ADA Requests for Accommodations also are reviewed by the EC; student Disciplinary Procedures are imposed by the EC, which also coordinates Adjudicatory Hearings, disqualifies Members of a Hearing Panel, and handles Appeals for Admission to PCL. Although the PCL Student Handbook states that members of the EC shall be specified in the PCL Bylaws, the Bylaws ratified May 22<sup>nd</sup> 2017 make no mention of this Committee, its role, duties, members or functions. Nor is there any Populi Group for the Executive Committee, or any way for students to contact its members.

On June 3<sup>rd</sup>, in response to a written request I sent to Dean Ira Spiro for more transparency and information on the Executive Committee, he replied in part:  
"...the Bylaws don't mention the Executive Committee, but one amendment does affect it, an amendment stating that the Dean is an Officer, attached. As far as I know the Executive Committee doesn't do day-to-day accounting of student accounts or tuition...the Executive Committee has charge of payment plans and the Treasurer is a member of the Executive Committee."

The CA State Bar's Rules for Unaccredited Law Schools state:

Division 2, Honesty & Integrity

2.1 Honesty and Integrity.

*A law school must be honest and forthright in all of its activities. A law school must establish and maintain procedures and practices that demonstrate an on-going commitment to ensuring that every law school activity is conducted honestly and in a forthright manner.*

The current functions and operations of the Executive Committee are in violation of the CA State Bar's Guidelines for Unaccredited Law Schools.

**Proposal:**

The Executive Committee must operate under full transparency with all members identified, and clear guidelines established for its role, duties and functions. If there is no will to do so by the Board of Directors or the Executive Committee members, the Executive Committee must be disbanded.

**3. Accurate, Consistent Standards of Instruction/Grading**

During my 1L year, I noticed varying standards of instruction and preparation among my professors; this ranged from highly prepared, with clear explanations of concepts and rules, regular reviews of lecture material, use of the Populi and MS Teams online platforms fully and effectively, and use supplemental material, including homework assignments that led to mastery of the material; to lack of preparation in which lectures consisted of reading straight from the textbook week after week.

Three-quarters of the instructors submitted grades within a reasonable time (2 weeks); one instructor, James Simmons, did not submit final grades for his Criminal Law course for either 2Q or 3Q (as was also the case with his 2020-21 Torts course); his partially completed grades were widely disparate from other 1L course grades. Numerous Board and Faculty Members stepped in to re-evaluate and complete the grading. Another example of long-delayed grades was a very academically strong 1L's decision to withdraw from the school in April, well into 3Q; they did not receive grades for the coursework they completed in a timely manner. The student had to threaten to contact the CA State Bar to receive official transcripts of their completed coursework.

The CA State Bar's Rules for Unaccredited Law Schools state:

Division 5, Academic Programs and Scholastic Standards

5.17 Grading Standards

*A law school must adopt written grading standards that ensure accuracy, validity, reliability, and consistency in the evaluation of student performance. Each student must be graded honestly and realistically. Qualified and competent individuals, whether they are course instructors, other members of the faculty, or carefully selected and supervised graders, must evaluate student performance. There should be a reasonable correlation among the grades of all instructors teaching the same group of students. A wide disparity in the grades among several instructors teaching the same group of students is prima facie evidence of inadequate grading standards. Reasonableness in correlation may include due regard for variation in subject matter difficulty.*

I understand that PCL historically struggles with recruiting and retaining reliable instructors, given they volunteer their time. Based on my experience, this problem is also due to a lack of organization and clear expectations, which requires willingness and capacity to do so at the Board level. Given that James Simmons was invited back to teach when he previously failed to submit grades the year prior reflects a failure on the part of the Board, or at best, a serious lack of judgment.

**Proposal:**

Since grades and transcripts are crucial to the functioning of a school, I propose PCL instructors be paid a small stipend per class only to grade students work and submit grades, not for teaching. This symbolic gesture would create a clear expectation for evaluating student's work promptly and submitting it in a reasonably timely manner at the end of each Quarter. A grading stipend would also create a contractual expectation between the instructor and the school, and encourage volunteer professors to view their promise as a professional commitment. PCL Board Members and Administrators must be consistent in adhering to the standard of professional conduct with PCL Instructors, and support them in meeting those standards, rather than undermining them or encouraging continued violations CA State Bar Guidelines by literally rewarding such conduct.

**4. 1L Courses/Rubrics to be FYLSX Focused**

I attended the February 2021 Board Meeting to voice my concerns about the manner in which the 1L courses were being taught at PCL. I described how half of the 1L instructors structured their courses with a focus on passing the FLYSX, while others were unaware of the exam's importance to 1L's as a mandatory hurdle to continuing their studies at PCL, or at any other law school. The point of my concerns was the necessity of mandating all 1L Professors teach to the FYLSX, use consistent methodologies of focusing on Essay Writing and MBE Preparation, avoid focusing on case law, which is a low-priority in the 1L Year. 1L Professors must use material focused on the basic 'Black Letter Law' tested on the FYLSX, and test 1L's on those basic skills and knowledge. I, along with other 1L's, repeatedly spoke to our instructors about the need for more FYLSX-focused instruction. Some responded and attempted to teach more to the FYLSX; others ignored us and taught according to their own preferences.

**Proposal:**

I contacted Anna Hawkins about the 1L teaching methodology inconsistencies; she stated that a 1L Curriculum for each subject would be essential for all 1L instructors, including sample exams, and hoped to develop this for PCL. I support and encourage this plan, and propose a 1L Curriculum to be developed immediately, without delay, utilizing Robert Skeels' Contracts Curriculum as a framework. The blueprint of this 1L Curriculum already exists, and the content from many of this year's 1L courses can be included to supplement. This is particularly crucial where 1L courses are taught by multiple volunteer instructors, such as Torts was this year, with four separate professors. A consistent curriculum would help smooth out the transitions from instructor to instructor, and not place the burden on the 1L's to literally 'train' their instructors in what the 1L's need to be taught, how to teach it, and when to teach it.

**5. Instructor Accountability and Professional Standards**

It is difficult to find attorneys who are willing to volunteer time and effort to teach without compensation, even when a school is well organized and able to function smoothly, with clarity, vision, free of rancor. As detailed *Supra* in item 2, there is an uneven standard of organization



and instruction amongst professors, and the level of teaching at PCL is highly inconsistent, to say the least.

As an example, James Simmons taught Torts in 2019-20; at that time there were similar issues of poor instruction, lack of organization, and a failure to turn in grades. Many complaints were submitted. Despite this, he was invited back to teach Criminal Law in 2020-21, during which time his poor performance compounded. During the Criminal Law course Mr. Simmons stated that he was open criticism and available for questions; when several 1L's came forward, they were dismissed and ignored. The 2Q Midterm contained a highly questionable, triggering Statutory Rape Essay, offending numerous students who complained to the PCL Administrator. Another 1L instructor who saw the Essay Question when completing Mr. Simmons' class grades wrote: *"...the Simmons midterm question was horrifying and I was literally aghast when I read it. The school must make a substantial effort to prevent that kind of conduct from ever occurring again. While that question would have been offensive and highly inappropriate in any era, it is even more so in 2021 when there is, ostensibly, more awareness of traumatizing students."*

Multiple future class sessions contained similar material on sexual crimes that was offensive and insensitive. Lectures consisted of selections of text taken straight from the Hornbook and presented as a slide show, which was then read aloud by Simmons or the students in turn.

Understandable errors and mistakes will occur, and developing COVID twice is a legitimate excuse for poor performance; then there are serious lapses in judgment that create unprofessional and unacceptable circumstances and standards that are very disrespectful to the students and PCL community. Despite these clear violations of professional, community and CA State Bar Standards for instruction, Mr. Simmons was bestowed with a school award at PCL's 46<sup>th</sup> Anniversary Fundraiser on April 29<sup>th</sup>.

In raising these issues with PCL Board and Community Members who guided the school through the 'takeover' years I have been told repeatedly, "Well, you should have seen it before the takeover! It was much worse then." or "I had horrible instructors, too." This, while also understandable, is unacceptable five years later. It brings to mind the attitude of those subjected to hazing or deep disregard and now are desensitized to the infliction of that same mistreatment upon others.

The CA State Bar's *Rules for Unaccredited Law Schools* state:

Division 4. Administrator, Dean, and Faculty

4.8 Evaluation of Instructors.

*A law school must adopt written procedures for the regular evaluation of instructor competence. In evaluating the competency of an instructor, the factors to be considered are:*

- (A) The instructor's education, knowledge, and experience in the subject matter;*
- (B) The instructor's competence in the classroom or in other instructional activities;*
- (C) The instructor's teaching skills given the technology and methodology used in instruction, and the quality of participatory experiences employed;*
- (D) The instructor's organization of the course as demonstrated by outlines or syllabi;*
- (E) The quality, nature, and type of examinations, and other assignments and the quality of grading;*
- (F) The relation between the field of instruction and the area of specialization, if any, of the instructor in private practice; and*
- (G) The years of experience, both in teaching and in practice.*

4.9 Basis of Instructor Evaluations.

*The evaluation of instructor competence is generally determined by observation in the classroom or other instructional activities, which may include, for distance-learning law schools, monitoring both synchronous and asynchronous activities. Evaluation also includes review of the materials used in the course, examinations given, and the extent to which examinations and grading standards provide a reasonably accurate appraisal of each student's ability. A comparison of course grades with examination scores in like subjects and the relation between the two are regarded as some indication of the quality of instruction, examinations, and grading standards.*

Division 5. Academic Program and Scholastic Standards

5.1 Academic Program.

*A law school must maintain a qualitatively and quantitatively sound program of legal education.*

5.2 Criteria for Determining Compliance with Guideline 5.1.

*In evaluating the qualitative and quantitative soundness of a law school's program of legal education, the*

*Committee will consider:*

- (A) The content and scope of the curriculum;*
- (B) The competence of the instructors with respect to their knowledge of the subject matter and their ability as teachers;*
- (C) The materials used in each course, including required and recommended texts, course outlines, and syllabi;*
- (D) The effectiveness of the methods of instruction used;*
- (E) Admission requirements, including minimum levels of prior education, preparation, or training;*
- (F) The number of students in classes or instructional units;*
- (G) The quality of examinations, assignments, and other student work as an indication of course coverage and as a measure of student knowledge and analytical ability;*
- (H) The soundness of the grading system;*
- (I) The availability of adequate legal research resources;*
- (J) The adequacy of the law school's finances; and*
- (K) The cumulative success of the law school's graduates on the California Bar Examination over such period of time as the Committee determines is appropriate.*

PCL does not follow the above guidelines either in letter or spirit; by inviting back an instructor who was known to not meet these standards, the Board has violated these CA State Bar Guidelines.

The ability to attract, engage and retain reliable, committed professors is of key importance at PCL; it is second only to the priority of recruiting high quality, motivated students. A main reason instructors leave PCL or refuse to return is more than likely a lack of practical and administrative support, the contentious atmosphere and the highly dysfunctional state of the school, detailed *Supra* in item 2.

**Proposal:**

PCL must retain the excellent instructors it already possesses, cease the infighting and lack of cohesive functioning that feeds attrition of its faculty pool, and uphold basic standards of instruction as detailed by the CA State Bar. Instructors need clear guidelines and expectations, reinforced by a small stipend for grading as outlined *Supra* in item 3. The FCC could provide those guidelines and continue to assist the school in improving its Faculty Pool.

**6. Required Use of Populi/Teams by PCL Community**

Due to the COVID-19 pandemic, PCL obtained permission from the CA State bar to function as an online/distance learning school. MS Teams and Populi were hastily set up in mid-2020 by the PCL Administrator, and numerous trainings were scheduled for Board, Committee and Faculty members. Dedicated 2L and 3L students, along with the PCL Administrator, were mainly responsible for this set-up and training of faculty.

After a year of all online instructions, I have been told directly from Board and Committee Members, including the Dean, that they are unfamiliar with these programs and are unwilling to use them when asked. This year's 1L class conducted all their online learning through Populi and MS Teams, which some 1L instructors did not use or know how to use. When attempting to set up a schedule of Practice/Mock FYLSX at the end of the 2020-21 academic year, I was asked by Board and Committee Members to communicate with them outside of these online programs, as they did not use them. However, the 1L's have been required to use these programs for the entire year without any formal training or onboarding.

The CA State Bar's *Rules for Unaccredited Law Schools* state:

*Division 7. Physical Resources*

*7.2 Instructional Equipment; Resources and Procedures to Address Technology-Related Problems.*

*A law school must have and maintain instructional equipment adequate to support its educational program. A law school must have and allocate adequate resources and create and maintain adequate procedures to promptly and effectively address technology-related problems in the delivery of its educational program.*

**Proposal:**

To ensure equitable access and transparency, ease of administration and communication, all active PCL Board and Committee Members must train and use the school's online learning and administrative programs (Populi and Microsoft Teams) at a basic level. Annual trainings for all PCL Community Members, including students, should be conducted to keep the members of the PCL Community fluent in these programs at a basic level and familiarized with updates to the programs. Board, Committee and Faculty Members should use these programs to communicate with students for all school business.

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I am requesting time to present these Grievances at the June PCL Board Meeting, now moved from June 20<sup>th</sup> and scheduled for June 19<sup>th</sup>. I also request a written response to this Formal Grievance be submitted no later than June 30<sup>th</sup> 2021.

My intention is to clarify what I feel stands in the way of the basic functioning of People's College of Law. I believe in the integrity of school's mission; it is heartbreaking how neglected the institution is at this juncture in time, indicated not only by the dysfunction exhibited in it's management and operations, but in the dilapidated state of PCL's physical campus. Having spent many Accountability Hours there this spring with Anna Hawkins, I attempted to reconcile the sad state of the school's records, campus and community with the ideals proposed by PCL's professed identity as a 'Community Law School'.

So long as I am a part of the PCL community I will communicate openly and clearly, to delve to the root of these maladies keeping the school from achieving its historic goals.

Sincerely,



Nancy Popp, '24  
npopp@peoplescollegeoflaw.edu





## The State Bar of California

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### **OPEN SESSION**

### **AGENDA ITEM O-402**

**JUNE 2021**

### **COMMITTEE OF BAR EXAMINERS**

**DATE:** June 18, 2021

**TO:** Members, Committee of Bar Examiners

**FROM:** Natalie Leonard, Principal Program Analyst

**SUBJECT:** Progress Report Related to Periodic Inspection Report – Peoples College of Law

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### **EXECUTIVE SUMMARY**

This agenda item presents Peoples College of Law's progress report, documenting its progress completing the recommendations adopted by the Committee of Bar Examiners after reviewing the law school's periodic inspection report. (Attachment A)

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### **BACKGROUND**

Peoples College of Law is a registered, unaccredited fixed facility law school founded in 1973 and located in Los Angeles, California. The law school has always focused on preparing students for practice in public interest law.

Registered, unaccredited law schools undergo inspection every five years to confirm continuing compliance with the Rules for Unaccredited Law Schools and their guidelines.

State Bar Educational Consultant Heather Georgakis conducted an inspection of Peoples College of Law on January 14-16, 2020 onsite at the law school.

The Committee accepted the report and continued the law school's registration contingent upon: 1) addressing the recommendations listed below; 2) providing annual progress each year by November 15 to document progress, completion, or sustained compliance as to each recommendation; and 3) agreeing to undergo a follow up inspection in fall 2022.

PCL provided a timely progress update submitted with its 2020 Annual Report, and recently amended the progress report in May 2020 to document additional progress.

## DISCUSSION

The Committee adopted required PCL to address the following 23 recommendations as a result of the observations during its periodic compliance inspection. The original recommendation is listed first, followed by a summary of law school's current status in italic font. The law school's full response is attached. (Attachment A)

Overall, the law school has maintained or enhanced compliance as to each of the recommendations as documented below.

## RECOMMENDED MANDATORY ACTIONS

- 1. Guidelines 1.9 and 2.10:** To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy. *Subsequent to the inspection, the law school adopted a compliant policy, provided the State Bar with a copy of that policy, and implemented that policy.*
- 2. Guideline 2.2(B):** To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications. *Subsequent to the inspection, the school published a single clear policy, provided a copy of that policy to the State Bar, and implemented that policy.*
- 3. Guideline 2.3(B):** To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability. *Subsequent to the inspection, the school updated the course list, deleting two courses that were not being offered, and adding the language regarding the frequency with which the remaining courses are offered. The law school advises that this list is updated and compliance has been maintained.*
- 4. Guideline 2.3(D):** To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated. *These disclosures have been corrected and completed and posted or provided timely since the inspection.*

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5. **Guidelines 2.9(A)-(B) and 5.24:** To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated. *Subsequent to the inspection, the school provided its updated Catalog, which remains current.*
6. **Guideline 2.9(C):** To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades. *Subsequent to the inspection, the school adopted a compliant policy, provided the State Bar with a copy of that policy, and implemented the policy by loading syllabi into the school's learning management system where students can access them.*
7. **Guideline 2.9(D):** To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software. *Subsequent to the inspection, the school advised that it adopted a secure testing policy that requires exams to be proctored in person or proctored remotely through Microsoft Teams.*
8. **Guidelines 2.10 and 5.17:** To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy, and provided the State Bar with a copy of that policy. The policy will be implemented at the end of the fall quarter in November 2021 and the law school's information system has been updated to hold grades until the administrative review is complete.*
9. **Guidelines 2.11, 7.1, and 9.1:** To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school's digital records. *Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools and containing the recommended safeguards. The school will complete phase one of its data loading plan by August 2021.*
10. **Guideline 3.1:** To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE's standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. *Subsequent to the inspection, the school increased the paid hours of the administrator, and secured significant volunteer assistance from the dean, the Board, and alumni. The school has created job descriptions for its key administrators, and increased the paid hours allotted to its registrar.*
11. **Guidelines 4.8 and 4.9:** To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided a copy of the policy to the State Bar. The policy has been implemented and over thirty faculty evaluations have been completed during this school year.*

- 12. Guidelines 5.3(A)(1) and 5.9:** To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities. *Subsequent to the inspection, the school adopted a compliant policy, provided a copy to the State Bar, and implemented the policy. Attendance is tracked by instructors or the registrar and recorded in Populi.*
- 13. Guideline 5.8:** To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy. The law school now requires students to fill out and submit timesheets as a mandatory requirement for all clinical courses, and the registrar reviews the timesheets to confirm the required hours.*
- 14. Guidelines 5.17, 5.18, and 5.25:** To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance. *Subsequent to the inspection, the law school formulated a responsive policy that will be presented shortly to the law school's Board for adoption and implementation in summer 2021. The law school has also implemented a policy requiring professors to provide constructive feedback as to exam performance and grading.*
- 15. Guidelines 5.18–5.20:** To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school's academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines. *All identified policies were reviewed and updated in a compliant manner, and compliance has been maintained.*
- 16. Guideline 5.24:** To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline. *Subsequent to the inspection, the school adopted a compliant policy, provided a copy of the policy to the State Bar, and implemented that policy.*
- 17. Guidelines 6.2–6.4:** To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement.

*Subsequent to the inspection, the school did confirm that legal research is being taught using both hard copy and electronic resources, and the syllabi were updated appropriately. In the progress report, the law school advises that it has renovated the library space that had previously been destroyed by fire, and the law school intends to purchase the required library books upon the students' return to in-person classes.*

**18. Guidelines 7.1 and 7.2:** To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students. *Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets; projectors were replaced with other technology options, which remain in working order.*

**19. Guideline 9.1:** To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). *Subsequent to the inspection, the school adopted compliant policies, provided copies to the State Bar, and implemented those policies.*

#### **SUGGESTIONS FOR MAINTAINING CONTINUED COMPLIANCE ADOPTED BY THE COMMITTEE**

1. Pursuant to Guidelines 2.9(C) and 5.13, it is suggested that the school require faculty to use a standard syllabus template to promote consistent communication of course requirements. *Subsequent to the inspection, the school purchased a commercially available software package that includes a standard syllabus template used in all courses.*
2. Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school base its data security policies and procedures on generally accepted industry standards, consulting with an expert if the expertise is not available within the school. *Subsequent to the inspection, the school purchased commercially available software package with these features. All data is now stored in the system on a forward basis and a significant amount of history is also being loaded. The law school also purchased the appropriate storage containers for files held only in hard copy, such as data more than ten years old.*
3. Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopt and implement a procedure requiring that exam questions, accompanied by issue outlines or model answers, be reviewed, and approved by the dean or another legal educator before being administered. *Subsequent to the inspection, the law school created a proposed policy, provided a copy of that policy to the State Bar and scheduled the policy for consideration by the school's board this summer.*
4. Pursuant to Guidelines 5.17, 5.18, and 5.25, it is suggested that the school adopt and implement a procedure requiring grades and student exams papers to be reviewed and approved by the dean or another legal educator before being posted. *Subsequent to the inspection, the law school implemented a pilot policy, adjusted the policy based on the*

*results of the pilot, provided a copy of the amended policy to the State Bar, and scheduled the amended policy for further discussion by the school's board this summer.*

The law school not only maintained its prior progress, but also made significant additional progress, implementing many policies. Notably, the school has also repaired its library space previously damaged by fire. In addition, the law school has made an effort to maintain consistent staffing presence.

The law school will be providing further progress reports in its 2021 and 2022 Annual Reports and will be re-inspected in fall 2022.

### **FISCAL/PERSONNEL IMPACT**

None

### **AMENDMENTS TO RULES OF THE STATE BAR**

None

### **AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL**

None

### **STRATEGIC PLAN GOALS & OBJECTIVES**

Goal: None - core business operations

### **RECOMMENDATIONS**

It is recommended that the Peoples College of Law Updated November 2020 Progress Report on Compliance with Recommendations in State Bar Inspection Report of 2020, as amended on May 28, 2021, be received and filed.

### **PROPOSED MOTION**

Should the Committee of Bar Examiners agree with staff recommendations, the following motion should be made:

**MOVE**, that the Peoples College of Law Updated November 2020 Progress Report on Compliance with Recommendations in State Bar Inspection Report of 2020, as amended on May 28, 2021 and set forth in Attachment A, be received and filed.

**ATTACHMENT(S) LIST**

- A. Peoples College of Law Updated November 2020 Progress Report on Compliance with Recommendations in State Bar Inspection Report of 2020



**PEOPLES COLLEGE OF LAW  
NOVEMBER 2020 PROGRESS REPORT  
ON COMPLIANCE WITH RECOMMENDATIONS  
IN STATE BAR INSPECTION REPORT OF 2020**

**RECOMMENDED MANDATORY ACTIONS IN 2020 INSPECTION REPORT**

**1. Guidelines 1.9 and 2.10:**

**Bar's Inspection Report**

“To achieve full compliance, the school should demonstrate that it has adopted adequate procedures to properly document applications for accommodations and decisions in student files, to secure health records against unauthorized disclosure, and to effectively administer the school's privacy policy. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*”

**PCL'S Progress Report**

As noted in the Inspection Report, PCL adopted a compliant policy some months ago. One provision of the policy is: “Once each calendar month, the Administrator shall distribute a reminder of this Student Privacy Policy, with its full contents, to the Registrar, the Dean, and all officers, members of committees, members of the Community Board, employees and Faculty Members, by automatically scheduled email or otherwise.” Starting at the beginning of this academic year, we have complied by distributing the policy by email every month to the required recipients. The Dean has calendared for himself a reminder to distribute it at the beginning of every month. Soon our new Student Information System, Populi, will distribute it automatically on the first of every month.

**2. Guideline 2.2(B)**

**Bar's Inspection Report**

“To bring itself into full compliance, the school should demonstrate that its refund policies have been stated clearly and consistently in its publications. *Subsequent to the inspection, the school published a single clear policy, and provided a copy of that policy to the State Bar.*”

**PCL'S Progress Report**

As noted in the Inspection Report, PCL adopted a compliant policy some months ago. This new policy appears in our Tuition and Enrollment Agreement and our Student Handbook & Catalog. In late August and early September 2020 the students signed their Tuition and Enrollment Agreements, with the refund policy prominently displayed. The Student Handbook & Catalog, with the new refund policy, is posted on our website.



### 3. Guideline 2.3(B)

#### Bar's Inspection Report

“To bring itself into full compliance, the school should remove from the Catalog any electives not offered in the past three years or not expected to be offered in the next two years, and inform students in the Catalog that electives are not are taught each year, but are offered from time to time based on student interest and instructor availability. *Subsequent to the inspection, the school updated the course list, deleting two courses that did not meet these criteria, and added the language regarding frequency.*”

#### PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by deleting from the Student Handbook & Catalog the courses required to be deleted. Also, this past summer (2020) we had two elective courses, clinical courses on Criminal Defense and Eviction Defense. It was the second year in which the clinical course on Criminal Defense was given, the first year for Eviction Defense. We want to repeat them next summer, but since the courses are so new, we have refrained from listing them in the catalog yet.

### 4. Guideline 2.3(D)

#### Bar's Inspection Report

“To bring itself into full compliance, the school should demonstrate that the disclosure statements required by Guideline 2.3(D)(1)-(3), Business and Professions Code section 6061.7, and Rule 4.241 have been implemented accurately, completely, consistently, and as mandated. *These disclosures have been corrected and implemented.*”

#### PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by correcting, revising and implementing the disclosures. Since then the required disclosures were made in the Tuition and Enrollment Agreements signed by each student at the start of the fall quarter. The Rule 2.3(D) disclosure has been updated to reflect the change in the principal method of instruction, a change caused by COVID-19, from physical classroom instruction to online interactive instruction. On October 18, 2020, well before the deadline in Rule 4.241, the Dean signed and sent to the State Bar the certification of compliance required by the rule. In connection with preparation of the Annual Compliance Report, the Business and Professions Code section 6061.7 disclosure is being updated.

### 5. Guidelines 2.9(A)-(B) and 5.24

#### Bar's Inspection Report

“To bring itself into full compliance, the school should demonstrate that the Catalog and other publications set forth the school's academic standards and student assessment policies accurately, clearly, consistently, and as mandated. *Subsequent to the inspection, the school provided evidence of the updates as required.*”

### PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by revising these policies as required. One of the changes in our policies has to do with student privacy. Specifically, our Student Handbook & Catalog now prohibits students from participating in proceedings involving possible academic disqualification of other students without consent of the student in jeopardy of disqualification. Likewise it prohibits students from participating in academic grievance proceedings without the consent of the student who made the grievance. These new provisions are being implemented right now. We are in the midst of proceedings in which a student is challenging a failing grade, and these new provisions have been put into practice. Specifically, the student was informed at the outset that without the student's consent, other students would not participate in the proceedings. The student in question chose to have the other students participate. The other students are members of our Faculty-Curriculum Committee. One of the functions of that committee is to pass on petitions for grade changes.

### 6. Guideline 2.9(C)

#### Bar's Inspection Report

"To bring itself into full compliance, the school should adopt, publish, and implement a policy, including oversight provisions, to ensure that students are provided with written statements of the components of course grades. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

#### PCL'S Progress Report

As noted in the Inspection Report, some months ago PCL came into compliance by revising the policies as required. The Dean has reviewed the syllabi that have been entered into Populi, and finds that all but three professors have included in syllabi written statements of the components of course grades, but two of those are pass-fail courses. For the coming winter quarter, the Dean will send a reminder to all faculty to comply with this requirement.

### 7. Guideline 2.9(D)

#### Bar's Inspection Report

"To bring itself into full compliance, the school should adopt, publish, and implement a policy on authentication of student work, and discontinue its current practice of allowing students to take in-class exams using devices that are not protected by exam-security software. *Subsequent to the inspection, the school advised that it is actively evaluating options to implement secure testing.*"

#### PCL'S Progress Report

During this fall quarter, PCL adopted the following policy and procedures on authentication of student work:

## POLICY/PROCEDURES TO AUTHENTICATE STUDENT WORK

**A. Exams:** All exams must be given using Microsoft Teams. If the exam is given remotely, the monitoring function of Teams must be used. If the exam is given in the classroom, the instructor or a non-student substituting for the instructor must be present during the entire exam to monitor the students. Students who handwrite exam answers must have all their electronic devices turned off. Students who answer the exams by Teams on a computer must have all their other electronic devices turned off. If the exam is given remotely, all students must have their video activated during the entire exam, but exceptions are allowed for student who encounter technical problems that result in the student not being able to have their video activated.

(The Faculty-Curriculum Committee notes that exams are given with Microsoft Teams. Teams requires students to register for each exam. The students' exam answers are sent to the Microsoft Teams account and only accessible through Teams. When taking the exams, the students' computer screens are locked upon being opened by the student, and thus the students cannot access other materials while the test is being taken. While taking the exam, the student is observed by the exam proctor through the webcam. The students' exam answers are submitted to the proctor through the students' Microsoft Teams account.)

**B. Remote Class Participation:** In all classes given remotely every student should have their video activated during the entire class, unless the student has hardware or software issues related to their computer or internet service provider or an extraordinary circumstance.

(The Faculty-Curriculum Committee notes that online classes are given with Microsoft Teams. The students attend class through teams. The students' names are shown during the class. The students are on camera during the class. Students speak during the classes, and their voices also identify them.)

### 8. Guidelines 2.10 and 5.17

#### Bar's Inspection Report

"To bring itself into full compliance, the school should review, revise, and republish its grade review policy to meet guideline requirements. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

#### PCL'S Progress Report

We have begun implementing our new administrative grade review policy. Our committee in charge of it, the Faculty-Curriculum Committee, has met to formulate plans for the first implementation, which will be for the fall quarter grades later in November. Our Registrar/Administrator has adjusted our Student Information System to hold the grades for administrative review before the grades are issued to students and entered in their transcripts.

## 9. Guidelines 2.11, 7.1, and 9.1

### Bar's Inspection Report

“To bring itself into full compliance, the school should adopt policies and procedures that are adequate to protect the school’s digital records. **Subsequent to the inspection, the school purchased Populi, a commercially available package designed for schools containing the safeguards identified in this report.**”

### PCL'S Progress Report

Our Registrar/Administrator has largely completed the very substantial job of entering the digital records into Populi.

## 10. Guideline 3.1

### Bar's Inspection Report

“To bring itself into full compliance, PCL should demonstrate that it has sufficient administrative capacity to achieve and sustain compliance with the CBE’s standards, including written job descriptions for the dean and registrar, and adequate oversight provisions. ***Subsequent to the inspection, the school increased the paid hours of the administrator, and secured significant volunteer assistance from the dean, the Board, and alumni. The school will monitor the adequacy of its administrative capacity. The school also created compliant job descriptions for both the dean and the registrar.***”

### PCL'S Progress Report

Our Registrar/Administrator continues working full-time. During this fall quarter, others have greatly contributed to the school’s administrative work. Following are some examples. One of our upper division students trained faculty and students in the use of Microsoft Teams, our new system for online classes and exams, has inquired with faculty and students about problems experienced with Teams, and has assisted them with problems. Our Faculty-Curriculum Committee, whose members are students, faculty, alumni and the Dean, organized and conducted our student orientation and our fall faculty meeting. An ad hoc committee is organizing our upcoming Strategy Planning Meeting and Membership meeting. (PCL is a nonprofit corporation. That type of corporation has members rather than shareholders, and PCL’s members are students, faculty, alumni and former board members and officers.) Our Development and Fundraising Committee, whose members are alumni and the Dean, has weekly meetings with our professional fundraiser, and along with her has submitted several grant applications this fall, and has begun planning an online fundraising event. We have been awarded one grant so far. Our Building Committee has helped with obtaining bids for repair of the library roof.

## 11. Guidelines 4.8 and 4.9

### Bar's Inspection Report

“To bring itself into full compliance, the school must adopt and implement a faculty evaluation policy that meets guideline requirements. ***Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.***”

**PCL'S Progress Report**

We have begun the process of instructor evaluation. Instructors are evaluated by their own students and by members of the Faculty-Curriculum Committee. We use a standard evaluation form. It has been sent to the students. Members of the Faculty-Curriculum Committee already have the form, and have begun sitting in on classes online as part of the evaluations.

**12. Guidelines 5.3(A)(1) and 5.9****Bar's Inspection Report**

"To bring itself into full compliance, the school should adopt, implement, and publish attendance policies and procedures that: require student attendance at no less than 80 percent of the regularly scheduled class hours for each course during a particular term, not a series of courses over two or more terms; provide for accurate and timely maintenance of records; and eliminate the policy of permitting students to make up absences from regularly scheduled class hours with alternate activities. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

**PCL'S Progress Report**

As noted in the Inspection Report, some months ago we adopted the required policy. This fall our Registrar/Administrator has been viewing the classes in order to take attendance and record it in Populi. At times the instructors have taken attendance and reported it to the Registrar/Administrator.

**13. Guideline 5.8****Bar's Inspection Report**

"To bring itself into full compliance, the school should demonstrate that its clinical courses meet all Guideline 5.8 requirements, including maintenance of records for each student in the course. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

**PCL'S Progress Report**

As noted in the Inspection Report, some months ago we adopted the required policy. Thereafter we had two clinical courses this summer. The Dean created an Excel spreadsheet form to be used by students as timesheets to record the time and activities of their course work. As an attachment to the email below, the Dean sent the timesheet form to all students and instructors in the clinical courses. The Dean sent reminder emails to the students a number of times during the summer quarter. At the end of the quarter, the Dean reviewed the timesheets submitted by the students, evaluated them, and reported to the Registrar/Administrator which students were entitled to credit for these clinical courses, and which were not.

**From:** Ira Spiro

**Sent:** Monday, June 29, 2020 6:49 PM

**[names of recipients omitted from this report]**

**Subject:** TIMESHEETS for CLINICAL CLASSES - MUST BE FILLED OUT BY STUDENTS TO GET CREDIT

**Importance:** High

Dear PCL SUMMER Students

Because of State Bar requirements, **you have to fill out timesheets in order to get credit for our clinical courses.** A form timesheet is attached, an Excel spreadsheet. It's very easy to use. I filled them out every day, all through the day, when I was practicing law. Here's what to do:

1. Download the attachment to your computer.
2. Type your name and the course name at the top.
3. If you're taking both clinical courses, you'll have to have two separate timesheets, so save it twice, each with a different name for use by your computer.
4. **Fill them out every day when you're done with work for the day.** Way too hard to wait, say, a week, and try to remember your time at the end of the week. This is very good practice for when you become a lawyer, because most all lawyers have to fill out timesheets
5. "Date" column: When you start typing the date, e.g. 6/29, the year gets filled in automatically.
6. "Hours" column: You can round to the nearest quarter hour, for example .45, 1.75, 2.25. (But when you practice law, you should round to nearest tenth.)
7. "Task" column: What you fill in can be very short. For example, "attend Zoom" or "draft letter" or "draft memorandum" or "phone call to prof". You can use abbreviations if you're sure you'll remember what they stand for. For example TC for telephone call, dft for draft, memo is fine for memorandum.
8. **Email them to me every Friday when you're done with your work that day.** State Bar requires someone on faculty to monitor the students, and it's going to be me.
9. If you have any questions about this, give me a call (310-235-2350), or send me an email. Remember, my phone doesn't receive texts.

#### **14. Guidelines 5.17, 5.18, and 5.25**

##### **Bar's Inspection Report**

"To bring itself into full compliance, the school should review, revise, and republish its exam and grading policies and procedures, taking action as necessary to improve the quality of exams, curb grade inflation, and ensure that students receive adequate feedback on their exam performance. *Subsequent to the inspection, the school began addressing this issue and it continues to discuss further options with priority.*"



## PCL'S Progress Report

The Inspection Report does not reflect a number of very important improvements PCL made between the time the report was first published by State Bar staff and the time it was adopted by the Committee of Bar Examiners. Therefore, we discuss those changes below, although we did report them during the summer.

## Policies to Eliminate Grade Inflation

The Inspection Report, on page 15, referring to the 2014 inspection, states:

“To address grade inflation, PCL adjusted its grading scale and urged instructors not to inflate grades. PCL did not, however, adopt other policies to control inflation, such as administrative review of grades prior to their release, or reasonable limits on the extent to which grades may be based on class participation, including attendance. As concluded in 2014, a sound grading program would limit participation points to no more than three [of 100], and the award of points based on attendance is “clearly inappropriate” in light of Guideline 5.3(A)(1) minimum attendance requirement. PCL’s policy allows up to thirty percent of a course grade to be based on participation.”

This summer we did adopt the policies recommended in that paragraph. They are now in the Student Handbook & Catalog and the Faculty Handbook, as follows:

### Grading Standards:

It is of primary importance for PCL students and all of PCL that the students have a realistic picture of a realistic picture of their outlook for passing First Year Law Students Exam (FYLSX) and Bar Exam. The pass rates for both exams have been very low. For example, the pass rate for the July 2019 Bar Exam was 14.4% for California Unaccredited law schools and 18.8% for California-Accredited (non-ABA) law schools.

On the FYLSX of June 2019, the pass rate was 23.5% for all takers and 28.1% for California Unaccredited Fixed-Facility law schools (PCL is in that category). Students’ ideas about their chances on these exams are very likely influenced by their law school grades. If a student receives high grades, that is likely to raise the student’s expectations of passing the FYLSX and the Bar Exam, but because of the low pass rates on the exams, the heightened expectations could well be unrealistic. In light of these and similar considerations, PCL has adopted these Grading Standards for all examinations and final grades (grades for the full quarter) in all courses that are not graded pass-fail. NOTE that in the grouping of grades in the table below, C- grades are grouped with the D grades. That is because at PCL, in order for a student to advance to the next academic year and graduate, the student must have a grade point average of C or better.

90 - 100 (A+, A and A-)	Grades in this range should be only for very superb, outstanding work, not merely the best work among the students. The best work is often not in the A range. On an essay exam, the student should not only have identified all issues, but should have done a very superb, outstanding job of analyzing the issues. Sometimes there will be no grades in this range on an exam or for a quarter. This range should be under 10% of the grades, occasionally as much as 10%.
80 – 89	Grades in this range should be only for excellent work, not merely good work. On

(B+ , B and B-)	an essay exam, the student should have identified all issues, and should have done an excellent job of analyzing the issues. This range should be under 20% of the grades, occasionally as much as 20%.
73 – 79 (C+ and C)	Grades in this range should comprise by far the largest share of the grades, often higher than 50%. But these grades are for good work, not necessarily average work, because the average might be less than good. A PCL student must have a C average or better, not C-, for all quarters, in order to advance to the next academic year and in order to graduate.
60 – 72 (C- to D-)	Grades in this range are for work that is somewhat less than good (C-) to work that is poor (D+ and D) to work that is marginally passing (D-). Unfortunately, this range will often comprise 15% to 20% of the grades, sometimes higher than 20%.
59 and below (F)	Failing. Unfortunately, there will often be multiple failing grades, even in a small class. A failing grade is not just for work that is entirely lacking – it is also for work that shows some grasp of the subject of the exam or course, but very little. On an essay exam, the student might have identified and discussed some issues but still receive an F. In a multiple choice exam, if a student has correctly answered up to 59% of the questions, the grade will still be an F.

\*\*\*

**... class participation must not count for more than three percent (3%) of the final grade in a course, and attendance may not be counted at all towards the grade, inasmuch as minimum 80% attendance is required.**

### **Administrative Review of Grades**

In August, 2020, our Board adopted the following Administrative Review policy:

When faculty members have determined what grades they intend to give, the next step would not be to release the grades to the students, but instead to send the grades to reviewers. The reviewers very likely would include the Dean. Others could be members of the Faculty- Curriculum Committee and current or former faculty members, but faculty would not, of course, review their own grades, and students would not participate without consent of the student between reviewed.

The reviewers would study the grades for adherence to PCL grading policies. ... If the grade reviewers find deficiencies, they would communicate with the faculty member about curing the deficiencies and changing the grades. The Dean or the Faculty- Curriculum Committee or both would participate in those discussions and decisions on changing grades. When the decisions are made, the grades would then be sent to the Administrator for release to students.

### **Improvements in Eliminating Faculty Turnover**

The 2014 Inspection Report observed (p. 9):

“PCL operates with an all-volunteer, adjunct faculty and has someone so since its founding [it remains true in 2020]; a clear testament to the faculty’s dedication to PCL’s mission of public service. One negative aspect of a volunteer faculty, however, is that PCL experiences a higher rate of faculty turnover than most law schools where faculty



members are paid even a modest stipend or salary. ... on average, 20% of PCL's faculty appears to be new each academic year."

That turnover situation has been reversed. In the present academic year, 2020-2021, all faculty members except three taught at PCL the previous year, 2019-2020. Faculty turnover had been on the decline previously as well.

#### **15. Guidelines 5.18–5.20**

##### **Bar's Inspection Report**

"To bring itself into full compliance, the school should adopt, publish, and implement policies for academic advancement that adhere to the school's academic standards and comply with the guidelines, and eliminate policies that do not adhere to the guidelines. *All identified policies were updated, and non-compliant policies deleted.*"

##### **PCL'S Progress Report**

The problem was some inappropriate policies. PCL has eliminated them, so by the very nature of this item 15, no further progress is needed or possible.

#### **16. Guideline 5.24**

##### **Bar's Inspection Report**

"To bring itself into full compliance, the school should revise and republish its course repetition policy to meet all requirements of the guideline. *Subsequent to the inspection, the school adopted a compliant policy and provided the State Bar with a copy of that policy.*"

##### **PCL'S Progress Report**

As the Inspection Report notes, some months ago we adopted the required policy. The policy concerns limitations on repeating courses. As stated above, this fall a student has petitioned for permission to attempt to raise a failing grade. In order to raise the grade, the student will have to take a new exam or complete some other assignment to be determined by the instructor and the Faculty-Curriculum Committee working together. It is possible that the student may choose instead to convert the petition to one for repetition of the course pursuant to the new policy.

#### **17. Guideline 6.2–6.4**

##### **Bar's Inspection Report**

"To bring itself into full compliance, the school must devise a plan and a timeline to return to compliance regarding the library by owning and maintaining its own hard copy library as required under Guideline 6.2 and provide this timeline and proof of library purchase to the CBE; however, it may be appropriate to provide a waiver for this academic year while the law school teaches courses online due to the pandemic. In addition, to bring itself into full compliance, PCL should also demonstrate that students are receiving instruction in both physical publication and electronic-based legal research, as required by Guideline 6.3. The Catalog states that legal research is taught in several courses, but a review of syllabi attached to the self-study did not validate that statement. *Subsequent to the inspection, the school did confirm that legal research*

*is being taught using both hard copy and electronic resources, and the syllabi are being updated appropriately.”*

#### **PCL’S Progress Report**

PCL has devised the requested plan regarding the library. It is set out in the Annual Report. It reads as follows:

PLAN TO RETURN TO COMPLIANCE: The brother of PCL founder, attorney Hank di Suvero, who died this year, has offered to donate funds for the library. Our plan is to use the money to restore the library to usable condition and purchase the books needed to bring the required hardbound books up to date, all to be completed by August 31, 2021. Our Board of Directors approved this plan on October 18, 2020.

We do still believe that the hardbound library requirement, which does not apply to other categories of California law schools, should not be applied to our category, as we have explained previously.

### **18. Guidelines 7.1 and 7.2**

#### **Bar’s Inspection Report**

“To bring itself into full compliance, the school should maintain essential and permanent hard-copy records in fire-safe lockable cabinets, maintain all electrical equipment in working order, and provide digital projection equipment adequate to meet the needs of faculty and students. Subsequent to the inspection, the school transferred files to lockable, fire-safe cabinets; projectors were replaced with other options.”

#### **PCL’S Progress Report**

PCL purchased four matching, locking, letter-size Fireking fireproof file cabinets. We took delivery of them at our building and locked our paper files in them.

### **19. Guideline 9.1**

#### **Bar’s Inspection Report**

“To bring itself into full compliance, the school should adopt and implement a policy to ensure that records are fully compliant with Guideline 9.1, that the law school has adopted written procedures, including oversight provisions, of record-keeping processes and record retention requirements, and that it has adopted a written policy on transcript changes, as required by Guideline 9.1(D). *Subsequent to the inspection, the school adopted compliant policies and provided the State Bar with copies of those policies.*”

#### **PCL’S Progress Report**

Our Registrar/Administrator reported as follows to the Bar and the Committee:

##### **New Student Information System**

To streamline and organize student records, faculty records, and other required organizational documentation, Peoples College of Law is transitioning to Populi, a web-

based Student Information System (SIS) to electronically maintain and store school records in a secure and confidential environment. ]

Our SIS is manages and stores student transcripts, student attendance (for online and in-class instruction) & participation records, academic programs & courses, course mapping for students and course rosters as well as provides reporting analytics to give perspectives on student data through particular data sets. The SIS also tracks a prospective student's application process and generates applicant reports for accepted and rejected applications. Once a student is enrolled, student agreements, billing (including invoices, payments, transactions, deposits, and tax forms) are also stored electronically. Faculty, Admin, and Registrar will have detailed information on students' grades and attendance in courses, with student course summaries and reports.

Our SIS system also has group sections that will accommodate our committees and store committee documents including minutes & agendas. Hardcopies of board minutes and Faculty minutes will also be kept in the administrator's office.

In addition to the SIS, the administrator will also maintain hardcopy files for students, administrative personnel, and faculty in fireproof, securely locked file cabinets.

We are currently transitioning to our new SIS. Our phase one phase has begun. We are integrating our historical and past data into our SIS and we will be entering student records for the past ten years, faculty information & records for the past five years, personnel records for the past ten years, and course information. We anticipate phase one will be completed by August. Phase 2 will involve entering historical student records and personnel records dating back to 2005. Historical permanent records dating back before 2005 will be electronically scanned and stored securely in the cloud as a back-up to the existing hardcopy files that are kept in fireproof, securely locked file cabinets.

### **PCL Files and Records**

In preparation for the State Bar of California inspection, the administrator completed a thorough assessment of the school's files and records that fall under Rule 9.1 in the Guidelines for Unaccredited Law School Rules. Much of the reason that the school's records and files were out of compliance at that time was because there has not been a systematic uniform process set for each administrator who has worked at the school over the past several years.

For files and records that the administrator found to be out of compliance, best efforts were made to reconcile them prior to the inspection in January.

Files and records that were not compliant post inspection, the administrator continued to reconcile the deficiencies to complete the records.

Currently, the remaining noncompliant files under the Unaccredited Law School Rules Division 9.1 requirements are: faculty files, administrative personnel, and the file of all examinations given in the last (5) years.

**Faculty Files:** Approximately 1/3 of the faculty files for the past (5) years are missing law school transcripts. Administrator is actively contacting current and past instructors and requesting the missing law school transcripts. To prevent noncompliance within the

faculty records, our Faculty & Curriculum Committee are developing policy to request transcripts prior to hiring interviews or requiring them during new faculty onboarding.

**Administrative Personnel Files:** Several administrative personnel files are missing all or part of the required personal histories giving undergraduate education, graduate education, and law school education (if any) listing years attended, degrees conferred and summaries of professional careers and qualifications for being administrative personnel. The administrator is currently going through archived materials for older administrative personnel files. The administrator has requested information from current administrative personnel who have files missing the required information and will continue to follow up with those persons who are still missing some of their personal history.

**File of Examinations:** As required under 9.1(F), all examinations given in the last five years are to be kept in a file for inspection by the Committee. The administrator has been making best efforts to compile administered midterm and final exams for the past five years. For exams given in the 2019-2020 academic year, administrator has created a hard copy file and has actively been adding exams as they are administered. Our student information system (which we will implement for faculty this upcoming 2020 Fall Quarter) facilitates the creation of tests by instructor that are saved electronically per course as well as permits uploading of exams created outside of the SIS. Further, administrator is developing protocols to collect the hard copies of the exams as part of the administrator's checklist re: maintenance of required records.

**Record Retention and Disposal Policy:**

The school is also developing a policy for record retention and disposal and a retention schedule to ensure we keep records according to the State Bar Rules and Guidelines.

**New Policy on Changes to Entries in Transcripts**

PCL has adopted the following new policy on changes to entries in transcripts:

Changes to entries on a PCL transcript may be made only upon a showing of good cause. However, a contention or possibility that a grade given by an instructor was not justified shall not be good cause or an acceptable reason for a transcript change. If a present or former student wishes a change to an entry on the person's transcript, the following procedures apply

1. The present or former student must submit a written application to the Dean, specifying the change requested and the reasons for it. The application must include any documentation or evidence supporting the application.
2. The Dean must investigate the facts and circumstances pertinent to the application. In doing so, the Dean must read the entire application and materials submitted with it. The applicant shall have the right to speak with the Dean in support of the application, and to have an attorney or other representative do so as well. If the applicant requests the Dean to listen to any other person with information pertinent to the application, the Dean shall do so, but the Dean need not listen to an excessive number of such persons. The Dean may also communicate any person who may have information pertinent to the application, including but not limited to any present or former faculty member. The Dean may also speak with the Registrar, the Administrator and any other person with information pertinent to the application. The Dean may also consult any person outside

PCL who has expertise on the subject of transcripts, but shall maintain the confidentiality of the student's information by not disclosing the identity of the applicant. Before the Dean transmits to the applicant the Dean's decision on the application, the applicant may submit additional materials to the Dean, who must read them if time permits.

3. Within thirty days after receiving the application, the Dean must render a written decision on it and transmit the decision to the applicant. The Dean shall cause the application and decision and any materials the Dean read or considered in connection with the application to be placed in the applicant's student file. If the decision is that a change is to be made, the decision must specify the change, and if the applicant has not requested an appeal within the fourteen days to appeal, Dean shall transmit the decision to the Registrar, who shall make the specified change on the transcript, and place on the transcript a notation of the reason(s) for the change.

4. The applicant may appeal the decision of the Dean to the Community Board, but may do so only by transmitting to the Chair of the Board a request for appeal within fourteen days of receiving the Dean's decision. In the request, the applicant must state whether the applicant consents to participation in the appeal by student members of the Community Board. The Community Board may delegate the appeal to the Executive Committee. Within thirty days after the Chair receives the request for appeal, the Community Board or the Executive Committee, as the case may be, shall render a written decision on the appeal, and transmit it to the applicant. The Chair shall cause the request for appeal and any materials read or considered in connection with the appeal to be placed in the applicant's student file. If the decision on appeal is that a change is to be made, the decision must specify the change, and the Chair shall transmit the decision to the Registrar, who shall make the specified change on the transcript, and place on the transcript a notation of the reason(s) for the change.

5. No student member of the Community Board or the Executive Committee shall participate in the appeal unless the applicant consents in writing to participation by students.

## **RECOMMENDED SUGGESTIONS IN 2020 INSPECTION REPORT**

### **1. Bar's Inspection Report**

"Pursuant to Guideline 2.9(C) and 5.13, it is suggested that the school require faculty to use a standard syllabus template to promote consistent communication of course requirements."

### **PCL'S Progress Report**

As we have said, PCL's new Student Information System has electronic features that enable the school to create global rubrics for use in any or all the courses. Those features can also be used to create a standard syllabus template.

## 2. Bar's Inspection Report

"Pursuant to Guidelines 2.11, 7.1, and 9.1, it is suggested that the school base its data security policies and procedures upon the recommendations of generally accepted industry standards, consulting with an expert if the expertise is not available within the school."

### PCL'S Progress Report

As we report above, our data security is provided by the security protections of our new Student Information System, Populi. Populi's website states the following, among other things, concerning its security protections:

"Populi's servers are stored in an SSAE 16 Type II compliant data center that is physically secured behind a battery of compartmentalized security zones with biometric access controls. Numerous security, power supply, and infrastructure redundancies layer on additional safeguards.

\*\*\*

"We built Populi on the open-source "LAMP" stack (Linux, Apache, MySQL, PHP), availing you of the same powerful, secure technology undergirding web companies like Google, Vimeo, Facebook, and Amazon."

## 3. Bar's Inspection Report

"Pursuant to Guidelines 5.14 through 5.16 and 5.25, it is suggested that the school adopt and implement a procedure requiring that examination questions, accompanied by issue outlines or model answers, must be reviewed and approved by the Dean or other legal educator before being administered."

### PCL'S Progress Report

We have not instituted this procedure. It would require a great deal of additional work for the Dean, and we do not have other legal educators available for it. The Dean has a good deal of other work to do for the school. Our entire faculty, and the Dean, are unpaid volunteers.

## 4. Bar's Inspection Report

"Pursuant to Guidelines 5.17, 5.18, and 5.25, it suggested that the school adopt and implement a procedure requiring that grades and student examinations papers must be reviewed and approved by the Dean or other legal educator before being posted.

### PCL'S Progress Report

As we state above, we have adopted a procedure for administrative review of grades to take place before they become final and are posted. We have not adopted a procedure for review of examination papers. If we understand this idea correctly, it would be very difficult for us to do that for the same reasons that apply to item 3 above.

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EXHIBIT 3



Exhibit 3, pg. 1 of 33

# Profiling the Outcomes on the FYLSX

AN STUDY OF EXAMINEE  
PERFORMANCE AND OPPORTUNITIES  
FOR PROGRAM IMPROVEMENTS



Exhibit 3, pg. 2 of 33

# Presentation Outline

- I. The First-Year Law Students' Examination: Its History & Purpose
- II. Composition, Scoring & Decision Rules
- III. Research Questions & Study Data
- IV. Key Findings
- V. Considerations for Modification
- VI. Related Projects

Exhibit 3, pg. 3 of 33

# I. The First-Year Law Students' Examination (FYLSE)

## The History

- Unqualified students not eliminated in many unaccredited law schools \*
- Only after failing CBX after years of study did students realize they would never qualify for admission to the bar \*
- Officially instituted in 1935
- Authorized by Business & Professions Code section 6060(h)

## The Purpose \*\*

- Apprise students attending unaccredited schools of their potential for eventually becoming lawyers
- Curb recruiting abuses by unaccredited law schools
- Protect persons from continuing to spend time, money and effort in pursuit of profession for which they are not qualified
- Aid qualified persons in judging the quality of training and education they are receiving in preparation for the bar exam

\* A Report of President's Advisory Committee to the Board of Governors of The State Bar (1933)

\*\* *Bible v. Committee of Bar Examiners*, 26 Cal.3d 548 (1980); *Lupert v. California State Bar*, 761 F.2d 1325 (1985)

## II. The FYLSX: Current Composition

- A one-day, remotely administered and proctored, examination consisting of two parts
  - Written Section
    - 4 Essay questions
    - Administered in the morning
    - 4 hours – 1 hr. per question
  - Multiple-Choice Section
    - 100 total items
    - Administered in the afternoon
    - 3 hours – 50 items per 90-minute session X 2
- Administered 2x a year in June & October
- Subject area coverage
  - Contracts
  - Criminal Law
  - Torts
- Current format has been in place since 1999

Exhibit 3, pg. 5 of 33

## **II. The FYLSX: Written Section**

- Each administration has unique essay questions written & graded by State Bar staff and consultants
- Graded on a 40-to-100 point scale
  - Grading in 5-point increments
  - Similar to the General Bar Examination
- Each of the subject matter areas are covered by one or more of the questions
- About three months after examination, the questions are released to the public along with 2 answers from high scoring applicants

Exhibit 3, pg. 6 of 33

## II. The FYLSX: Multiple-Choice Section

- Five 100-item forms have been used since 1999 (some item overlap between forms)
- Current item set developed between 1996 and 1998
- Since 2000, each form has been used 8 to 9 times
- Each form has roughly equivalent number of items covering Contracts, Criminal Law & Torts
- Over 400 unique items in the current item bank; 200+ new items have been developed but not tested until this year
- During the last two administrations, 50 of the new items have been pilot tested
- Each form contains a different set of 20 to 25 “equating” items
  - Equating items used to “anchor” tests
  - Equating designed to insure comparability of scores between forms and over time

## II. The FYLSX: Scoring

1. Raw Essay Score = Sum of 4 questions (Max of 400 points)

2. Raw MC Score = Sum of 100 items (Max of 100 points)

3. Scale MC Score (Max of 400 points)

- a) “Equating” items are compared to same items on base 1998 form and other recent administrations of the same form
- b) Adjustment made for differences in difficulty over time and between forms
- c) Places raw MC score on a different scale of measurement (from 0 to 400 max)

4. Scale Essay Score (Max of 400 points)

- a) Raw essay score placed on the same scale of measurement as the Scaled MC Score
- b) Statistically, allows the Essay to have the same weighting as the MC

5. Scale Total Score (Max of 800)

- a) Essay and MC are equally weighted (50 % + 50%)
- b) Total Scale Score = Essay Scale Score + MC Scale Score

Exhibit 3, pg. 8 of 33

## II. The FYLSX: Decision Rules

- Initial Decision
  - Scaled Total Score  $\geq 560$  (70%) -> Pass \*
  - Scaled Total Score  $\leq 540$  -> Fail
  - Scaled Total Score between these values -> Reappraisal
- Reappraisal Procedure
  - The grading leader is provided with all raw and scale scores from initial grading
  - The grading leader also given a calculation of the number of additional raw written points needed to achieve a passing score
  - Grading Leader reviews each answer and then makes a final overall “Pass” vs. “Fail” decision

\* Note: Cut score on the FYLSX established in 1999 to insure that the new scoring at the time would pass the same percentage of examinees as before the new version was implemented

Exhibit 3, pg. 9 of 33

### III. Research Project: Policy Issues

1. The viability of the current FYLSX testing structure, i.e., use of a multiple-choice component and a written component.
2. The continuing requirement for a reappraisal phase during the grading and scoring process
3. The appropriateness of the scoring methods including the current component weighting rules, i.e., each component gets 50% weighting.
4. The appropriateness of the current FYLSX passing standard of 560 scale points, established almost 30 years ago.
5. The possibility of providing additional *statistical results to the public* that could aid students in their decision-making process to continue law school, and eventually take the GBX.



Exhibit 3, pg. 10 of 33

### III. Research Project: Specific Research Questions

#### 1. How have examinees performed on the FYLSX over time?:

- How many examinees have sat for the FYLSX
- How has performance on the FYLSX changed
- To what degree has performance differed by the type of law school and demographic composition of the population of test takers?

#### 2. What was the subsequent FYLSX experience for examinees who failed the FYLSX on their first attempt?:

- How many additional attempts would they make?
- What were their eventual outcomes?
- How much improvement was made on their subsequent attempts?
- To what degree were subsequent outcomes related to student demographics or the law school they attended?

Exhibit 3, pg. 11 of 33

### III. Research Project: Specific Research Questions (Cont.)

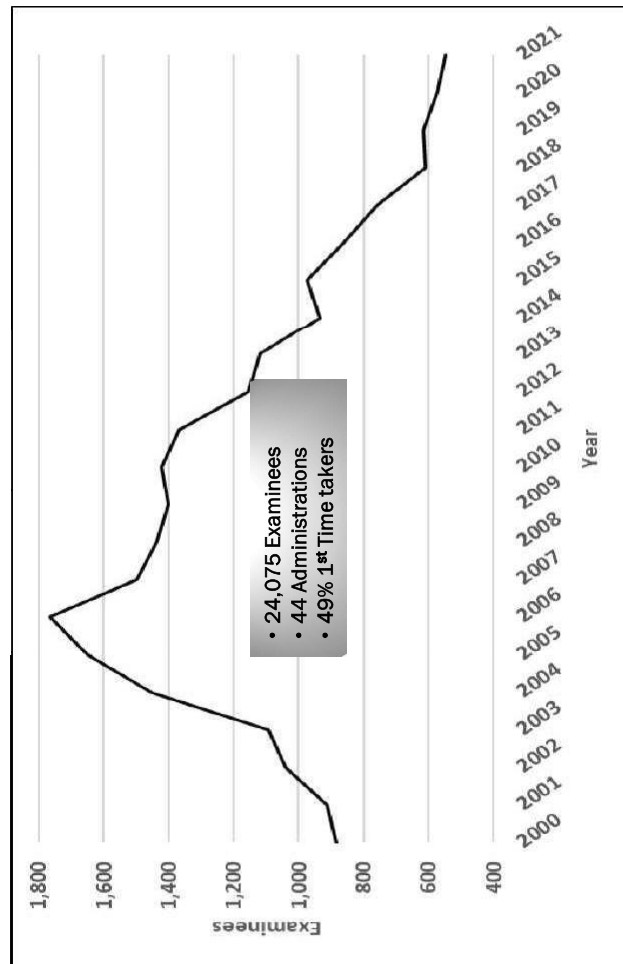
#### 3. *What was the GBX experience for examinees who took the FYLSX?*

- How many examinees eventually sat for the GBX?
- How many attempts did it take them to eventually pass the GBX?
- To what degree was performance on the FYLSX related to eventual performance on the GBX?
- To what degree was examinees' GBX performance influenced by the type of law school attended or demographic characteristics?
- Was it possible to accurately predict who would eventually pass the GBX based on their FYLSX performance?
- How might these results have changed if the historic GBX passing standards of 1440 were reset to the current 1390 level?

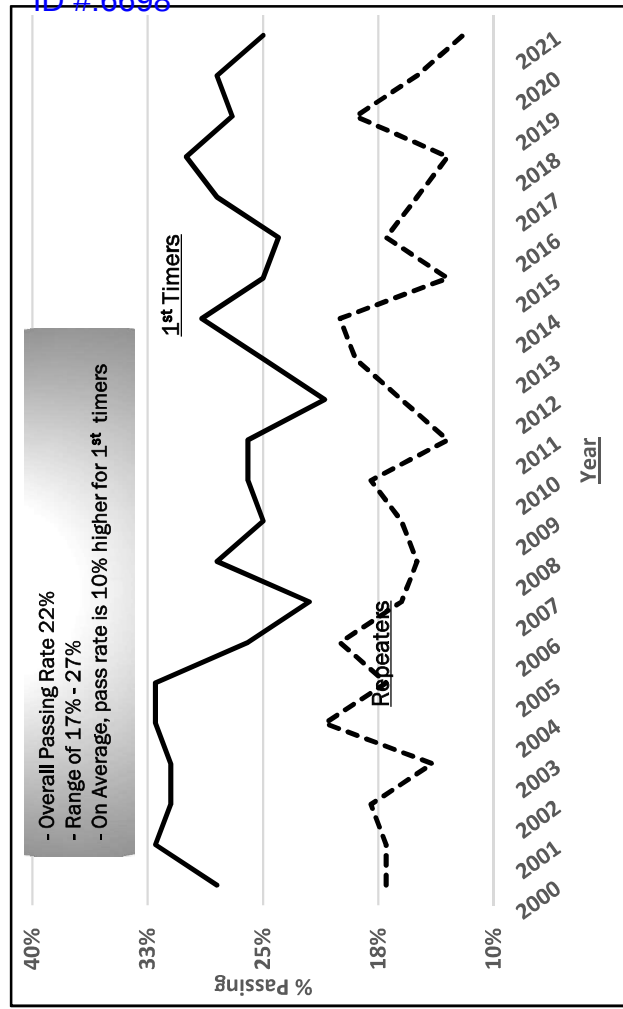
Exhibit 3, pg. 12 of 33

# FYLSX Test-Takers 2000-2021

## NUMBER OF TEST-TAKERS



## PASSING RATES



### III. Research Project: Study Data Selection

- Study focused on 1<sup>st</sup> time takers
- Each test taker “tracked” forward in time (i.e., longitudinally)
- Follow-up period of 10 subsequent administrations for each test taker
  - E.g., June 2000 test takers tracked through October 2005 examination
  - 99% made 8 or less attempts
- Resulting final sample consisted of 34 unique cohorts of 10,340 test takers
- Final study cohort took first FYLSX for first time in October 2016
  - Provided sufficient time to gather experience on General Bar Exam (GBX)

Exhibit 3, pg. 14 of 33

## IV. Key Findings

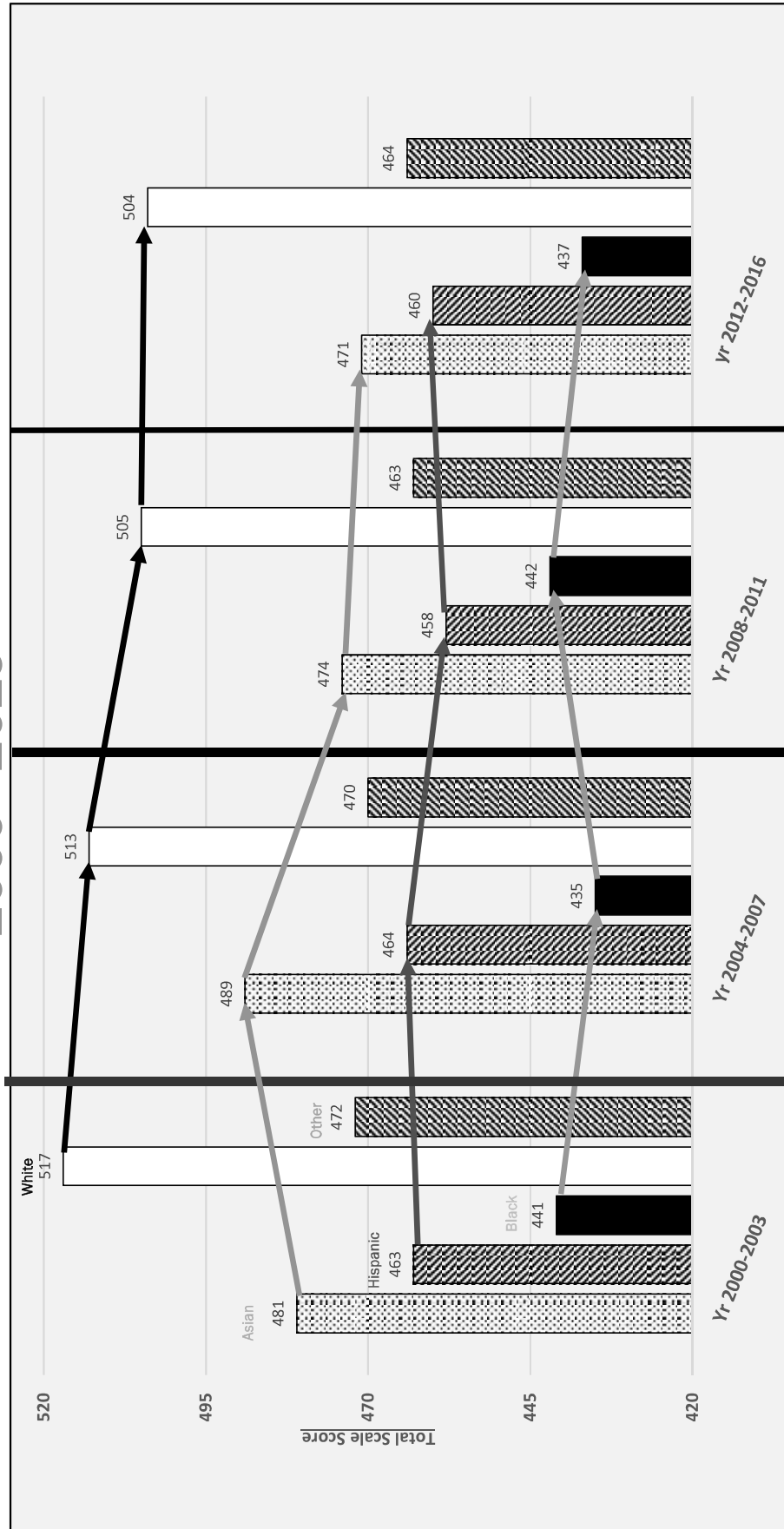
### III. Research Project: Composition of Study Sample

Exhibit 3, pg. 15 of 33

Category	FYLX Examination Period					Total (N=10,340)
	2000-2003 (N=2,168)	2004-2007 (N=3,223)	2008-2011 (N=2,686)	2012-2016 (N=2,263)		
<b>Race/Ethnicity</b>						
Asian	9%	10%	11%	10%		10%
Hispanic	9%	10%	12%	15%		11%
Black	11%	10%	13%	12%		11%
White	57%	57%	51%	49%		54%
Other	5%	6%	8%	8%		7%
Missing	9%	7%	6%	6%		7%
<b>Gender</b>						
Male	58%	59%	54%	53%		56%
Female	36%	39%	42%	44%		40%
Missing	6%	2%	4%	3%		4%
<b>School</b>						
ABA	6%	6%	6%	5%		6%
Accredited	8%	6%	6%	5%		6%
Unaccredited	82%	86%	86%	87%		85%
<i>Correspondence</i>	24%	19%	24%	27%		23%
<i>Distance Learning</i>	36%	51%	46%	42%		45%
<i>Fixed-Facility</i>	22%	16%	16%	18%		18%
Other	3%	2%	2%	4%		2%
<b>No. of Attempts</b>						
1 Attempt	56%	52%	53%	51%		53%
2 Attempts	22%	24%	23%	25%		24%
3 Attempts	12%	12%	13%	13%		12%
4 Attempts	4%	6%	5%	5%		5%
5 or more	6%	6%	6%	6%		6%
<b>Type of Examinee</b>						
Regular	87%	90%	90%	93%		90%
Disqualified	11%	9%	9%	6%		9%
Special	2%	1%	1%	1%		1%

# Average FYLSX Scores By Racial Ethnic Groups 2000 - 2016

Exhibit 3, pg. 16 of 33



# Initial Passage Rates for 1<sup>st</sup> Time Test Takers by Year

Exhibit 3, pg. 17 of 33

## 2000-2016

Category	2000-2003	2004-2007	2008-2011	2012-2016	All Years
<b>Overall</b>	30%	28%	26%	25%	27%
<b>Race</b>					
Asian	27%	27%	27%	20%	26%
Hispanic	21%	17%	19%	18%	18%
Black	11%	6%	11%	8%	9%
White	39%	36%	35%	34%	36%
Other	21%	20%	17%	23%	20%
Missing	18%	22%	10%	13%	16%
<b>Gender</b>					
Male	33%	30%	30%	27%	30%
Female	28%	27%	24%	23%	25%
Missing	15%	6%	3%	11%	9%
<b>School</b>					
ABA	16%	27%	25%	13%	21%
Accredited	21%	12%	10%	10%	14%
Unaccredited	33%	30%	28%	26%	29%
<i>Correspond.</i>	38%	31%	33%	29%	32%
<i>Distance</i>	37%	33%	27%	27%	31%
<i>Fixed</i>	20%	18%	20%	20%	22%
Other	19%	20%	21%	25%	22%
<b>Type</b>					
Regular	32%	29%	27%	26%	28%
Disqualified	11%	17%	16%	12%	14%
Special	56%	43%	50%	28%	45%



Exhibit 3, pg. 18 of 33

## “Eventual” FYLSX Outcomes

- **73%** (N=7,504) failed on initial attempt
- Roughly, **2/3** (N=4,873) of those who failed attempted the FYLSX again
- Some examinees persevered more than others
  - 50% had 1 extra attempt
  - 26% had 2 attempts
  - 24% had 3 or more attempts
- **74%** of those repeating the FYLSX showed some gain; Median improvement was 39 points
- Very **little difference** in improvement throughout the score range
- Statistical modeling showed that gains did not vary by ethnicity, gender or type of legal education
- Scores on 1<sup>st</sup> and follow up attempts on the **MC portion correlated more highly ( $r=.74$ ) than on the essay ( $r=.46$ )**

# Relationship between Initial FYLSX scores & Eventual Passing Rate: Examinees Making a Subsequent Attempt

Exhibit 3, pg. 19 of 33

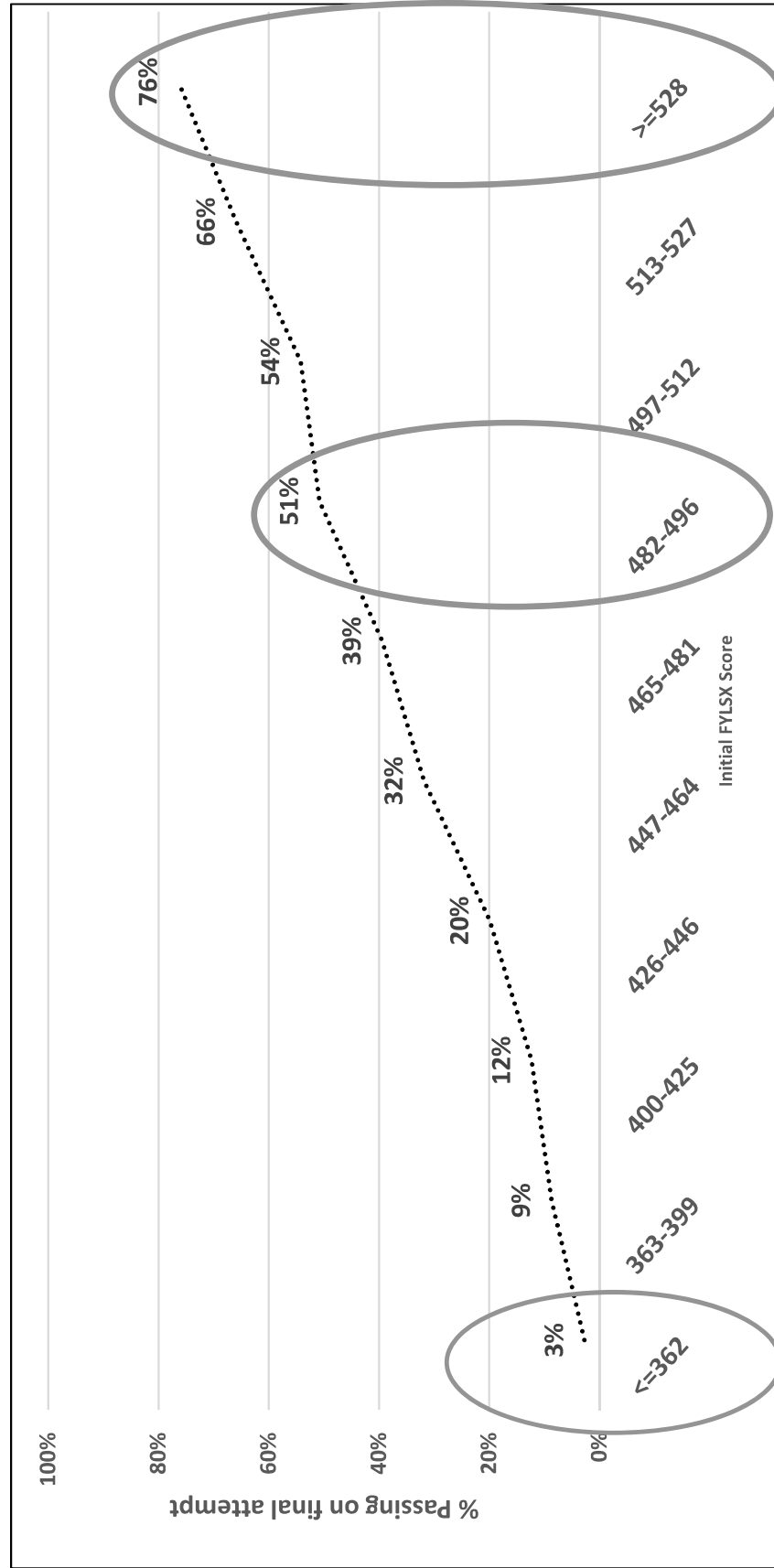


Exhibit 3, pg. 20 of 33

## Comparison of Final FYLX Outcomes Obtained in the Previous Study\* to Current Study

<b>Group</b>	<b>% of Sample</b>		<b>Multiple Choice</b>		<b>Essay</b>		<b>Total</b>	
	<b>Previous</b>	<b>Current</b>	<b>Previous</b>	<b>Current</b>	<b>Previous</b>	<b>Current</b>	<b>Previous</b>	<b>Current</b>
<b><u>Passed</u></b>	44%	44%						
<b>1 Attempt</b>	30%	27%	296	296	302	303	599	599
<b>&gt; 1 Attempt</b>	14%	17%	284	284	293	292	578	577
<b><u>Failed</u></b>	56%	55%						
<b>1 Attempt</b>	27%	30%	228	223	225	218	452	441
<b>&gt; 1 Attempt</b>	29%	25%	221	214	220	212	441	425
<b><u>Total</u></b>	100%	100%	254	251	256	252	510	503

\* Klein & Bolus (2010)

Exhibit 3, pg. 21 of 33

GBX Outcomes

Exhibit 3, pg. 22 of 33

# Comparison of all FYLSX Takers to Those Subsequently Taking the GBX

Category	All FYLX 1st Time Takers (N=10,340)	Eventual GBX Takers (N=3,616)
<b>Overall</b>	<b>100%</b>	<b>35%</b>
<b>Exam Period</b>		
2000-2003	21%	22%
2004-2007	31%	33%
2008-2011	26%	25%
2012-2016	22%	20%
<b>Race/Ethnicity</b>		
Asian	10%	11%
Hispanic	11%	10%
Black	11%	6%
White	54%	62%
Other	7%	6%
Missing	8%	5%
<b>Gender</b>		
Male	56%	59%
Female	40%	38%
Missing	4%	3%
<b>School</b>		
ABA	6%	7%
Accredited	6%	6%
Unaccredited	85%	83%
<i>Correspondence</i>	23%	21%
<i>Distance Learning</i>	45%	44%
<i>Fixed-Facility</i>	18%	18%
Other	2%	3%

Exhibit 3, pg. 23 of 33

## “Eventual” GBX Outcomes for FYLSX takers

- 71% failed on initial attempt
- Initial GBX pass rates for the FYLSX takers were less than half the rate of all 148,222 1<sup>st</sup> time takers (29% vs 62%\*)
- 83% of the failing applicants opted to retake the GBX
- 80% of those repeating the GBX showed some gain; Median improvement was 77 points
- The eventual passage GBX passage rate was 57%; twice as high as the initial pass rate
- At the current 1390 GBX standard, the initial and eventual passage rates would have been 37% and 62%
- After correction for “attenuation” FYLSX scores correlated .70 with GBX scores; relationship much stronger on the MC section than on the essay section.

\* 62% inclusive of FYLSX takers

Exhibit 3, pg. 24 of 33

## Prediction of Students Final GBX Outcomes Based upon Final FYLSX Scores

			1440 Standard		1390 Standard	
			<u>Actual</u> <u>Pass Rate</u>	<u>Predicted</u> <u>Pass Rate</u>	<u>Actual</u> <u>Pass Rate</u>	<u>Predicted</u> <u>Pass Rate</u>
<u>FYLSX Score</u>	<u>N</u>	<u>% of all FYLSX</u> <u>test takers</u>				
541-560	725	7.0%	41%	39%	47%	45%
561-580	820	7.9%	49%	50%	55%	56%
581-600	589	5.7%	60%	61%	64%	67%
601-620	434	4.2%	70%	71%	77%	76%
621-640	275	2.7%	79%	79%	84%	83%
631-660	198	1.9%	88%	85%	89%	89%
661-680	102	1.0%	89%	90%	91%	92%
681-700	60	0.6%	92%	93%	95%	95%
> 700	45	0.4%	98%	98%	98%	98%

Exhibit 3, pg. 25 of 33

**Prediction of Students' Final GBX Pass Rate  
For Different Racial/Ethnic Groups & Law Schools at  
Varying FYLSX Scores**

<u>Group</u>	<u>Final FYLSX Scores</u>		
<u>Race/Ethnicity*</u>	<u>540</u>	<u>560</u>	<u>580</u>
Asian	36%	47%	58%
Hispanic	32%	42%	53%
Black	28%	38%	49%
White	43%	54%	65%
<u>School Type</u>			
ABA	83%	88%	92%
Accredited	37%	48%	59%
Unaccredited			
Correspondence	25%	35%	45%
Distance Learning	31%	41%	52%
Fixed-Facility	36%	47%	58%



Exhibit 3, pg. 26 of 33

Summary of Eventual FYLSX & GBX Outcomes  
for Examinees Taking the FYLSX for the 1<sup>st</sup> Time  
2000 - 2016

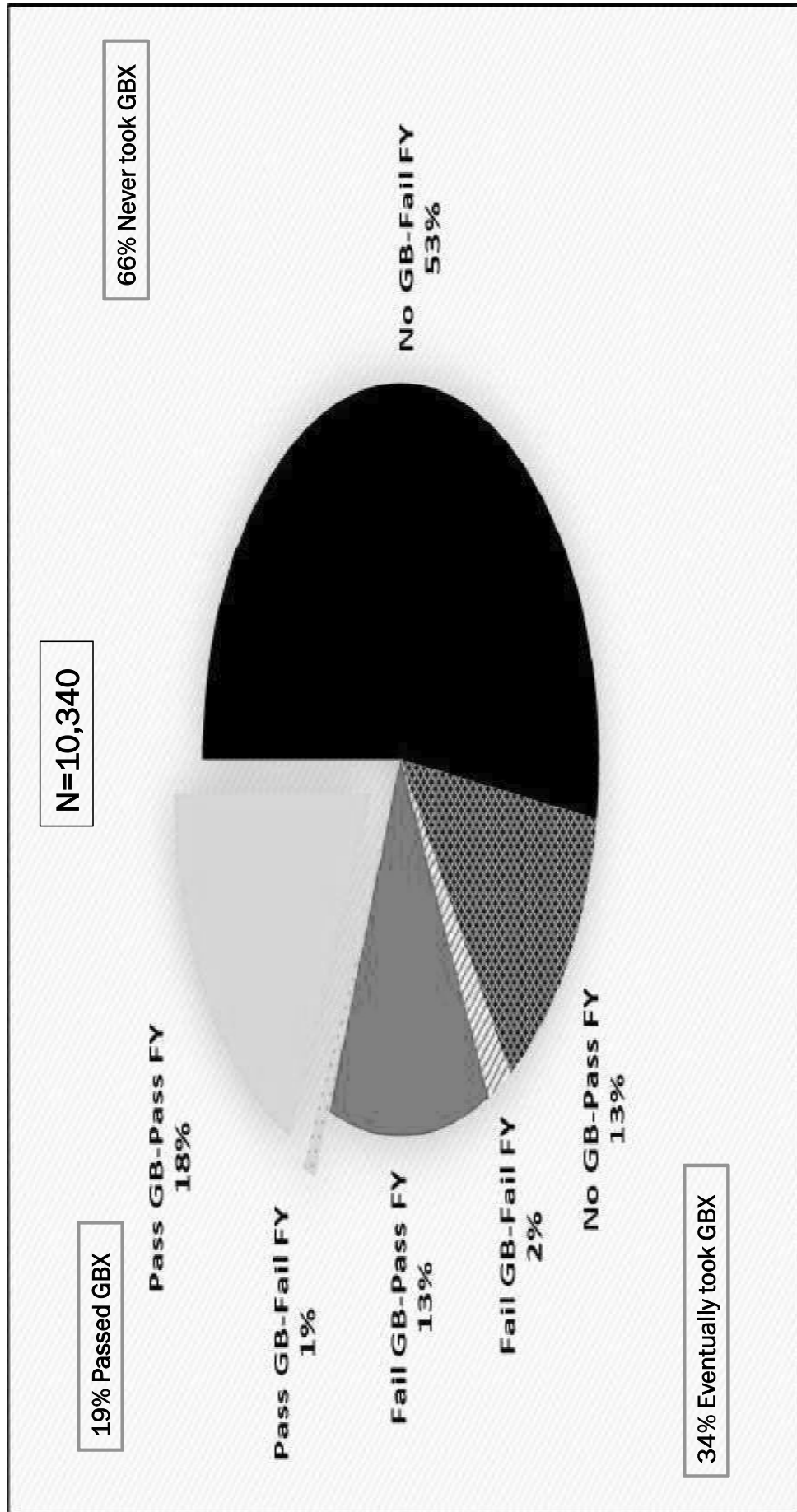


Exhibit 3, pg. 27 of 33

## V. Considerations for Modification of the FYLSX

- The Essay Section
- The Reappraisal Process
- The Passing Score

Exhibit 3, pg. 28 of 33

# Considerations for the FYLSX Essay Section

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## 1. ADJUST WEIGHTING

- Essay section has much lower reliability than MC section
- Current weighting lowers predictive value of FYLSX scores
- No previous documentation for current 1:1 section weights
- Simulations with alternative weightings (2:1 and 3:1)
  - Improved overall examination reliability by up to 5 points
  - Did not substantively impact passage rates
  - Did not differentially impact passage rates on any demographic group

## 2. ELIMINATE ESSAY SECTION COMPLETELY

- Operational impact
  - Cost savings for development and grading
  - Reduction in testing time
  - Elimination of reappraisal phase
- Because of low reliability, essay scores are not useful for diagnostic purposes
- Score simulations eliminating essay section
  - Slightly improved overall reliability
  - Yielded an FYLSX score that *was as predictive of GBX outcomes as one that included essay section*
  - Did not differentially impact passage rates on any demographic group

Exhibit 3, pg. 29 of 33

# Considerations for the Reappraisal Process

## Eventual Passage Rates for Examinees Going in FYLSX Reappraisal

<u>FYLY</u> <u>Score</u>	<u>Total</u> <u>Examinees</u>	<u>Passing</u> <u>Examinees</u>	<u>% Pass at</u> <u>that</u> <u>Score</u>
< 560	109	109	100%
558	129	127	98%
556	154	153	99%
554	140	138	99%
552	138	133	96%
550	122	107	88%
548	95	83	87%
546	88	72	82%
544	87	72	83%
542	79	58	73%
540	20	18	90%
Total	1161	1070	92%

Exhibit 3, pg. 30 of 33

# Considerations for the FYLSX: Eliminate Reappraisal Process?

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## 1. LOWER PASSING STANDARD TO 540

- Operational impact
  - No historical documentation for current reappraisal range
  - Cost savings – less grading activity
  - Faster release of results
- Net effect of passing an additional 91 more students over 17 yrs.
- Estimate 5 to 6 more students passing per year
- Based on historic rates, estimate 4 more applicants subsequently taking the GBX per year.

## 2. MAINTAIN CURRENT 560 PASSING STANDARD

- Operational impact
  - No historical documentation for current reappraisal range
  - Cost savings – less grading activity
  - Faster release of results
- Would have failed more 1,116 examinees
  - Lower eventual pass rate from 44% to 33%
  - Improve overall eventual GBX passage rate since students scoring in the FYLSX 540-560 score range only had a predicted 39% passage rate.
- Projections based on mathematical models

Exhibit 3, pg. 31 of 33

## Considerations for the Current Passing Standard

- **Current passing standard set over 30 years ago**

- 1998 Standard Setting Studies led to inconclusive results
  - Unaccredited school panelists set standard at 538 ; ABA school panelists set standard at 574
- Current form of FYLSX configured in 1998
  - Decision made to set pass point on the new exam such that same percentage would pass as in previous version

- **FYLSX has gained a reputation as one of the “most difficult” law examinations in the U.S.**

Similar to the GBX, the passing rate on the FYLSX has continued to drop (15% in 6/23) as has the number of test takers (190 in 6/23)

Standards for Educational and Psychological Testing recommend passing standards be revisited every 7 years

- **Setting a standard should be informed by empirical evidence and subject matter specialist**

Exhibit 3, pg. 32 of 33

# Considerations for the Current Passing Standard

## Projected GBX Passage Rates For Examinees Scoring Below 540 On Their Final FYLSX Attempt

			<u>1440</u>				<u>1390</u>			
<u>Score Range</u>	<u>Examinees Within Score Range</u>	<u>Cumulative Examinees Within Score Range</u>	<u>Pred Pass Rate W/N Examinees</u>	<u>Additional Examinees Passing</u>	<u>Cumulative Additional Examinees Passing</u>	<u>Expected Overall GBX Pass Rate</u>	<u>Pred Pass Rate W/N Examinees</u>	<u>Additional Examinees Passing</u>	<u>Cumulative Additional Examinees Passing</u>	<u>Expected Overall GBX Pass Rate</u>
	<u>Range</u>	<u>Range</u>	<u>Range</u>	<u>Range</u>	<u>Range</u>	<u>Range</u>	<u>Range</u>	<u>Range</u>	<u>Range</u>	<u>Range</u>
<b>531-540</b>	<b>212</b>	<b>212</b>	<b>32%</b>	<b>68</b>	<b>68</b>	<b>56%</b>	<b>37%</b>	<b>78</b>	<b>78</b>	<b>61%</b>
<b>521-530</b>	<b>229</b>	<b>441</b>	<b>27%</b>	<b>62</b>	<b>130</b>	<b>54%</b>	<b>32%</b>	<b>73</b>	<b>151</b>	<b>59%</b>
<b>511-520</b>	<b>282</b>	<b>723</b>	<b>23%</b>	<b>65</b>	<b>195</b>	<b>52%</b>	<b>27%</b>	<b>76</b>	<b>227</b>	<b>57%</b>
<b>501-510</b>	<b>296</b>	<b>1019</b>	<b>19%</b>	<b>56</b>	<b>251</b>	<b>50%</b>	<b>23%</b>	<b>68</b>	<b>296</b>	<b>55%</b>
<b>481-500</b>	<b>638</b>	<b>1657</b>	<b>15%</b>	<b>96</b>	<b>347</b>	<b>46%</b>	<b>17%</b>	<b>108</b>	<b>404</b>	<b>50%</b>
<b>461-480</b>	<b>664</b>	<b>2321</b>	<b>10%</b>	<b>66</b>	<b>413</b>	<b>42%</b>	<b>12%</b>	<b>80</b>	<b>484</b>	<b>46%</b>
<b>431-460</b>	<b>628</b>	<b>2949</b>	<b>7%</b>	<b>44</b>	<b>457</b>	<b>39%</b>	<b>8%</b>	<b>50</b>	<b>534</b>	<b>42%</b>
<b>421-440</b>	<b>590</b>	<b>3539</b>	<b>4%</b>	<b>24</b>	<b>481</b>	<b>36%</b>	<b>5%</b>	<b>30</b>	<b>563</b>	<b>39%</b>
<b>401-420</b>	<b>511</b>	<b>4050</b>	<b>3%</b>	<b>15</b>	<b>496</b>	<b>34%</b>	<b>3%</b>	<b>15</b>	<b>579</b>	<b>37%</b>

Exhibit 3, pg. 33 of 33

## VI. Related FYLSX Project Activities

- Review of content specifications (Completed 6/2022)
  - 13 law school administrators and faculty served as panelists
  - 125 domains/sub-domains covered in Contracts, Criminal Law, and Torts evaluated for:
    - Importance as an indicator of first year law school performance (97%)
    - “Borderline proficient” student should know topic (89%)
    - Relative importance
  - Identified potential new content areas & areas for deletion
- Review of FYLSX multiple-choice item bank (reviewer meetings completed 3/2023; follow-up Staff review ongoing)
  - 20 law school administrators and faculty (7 teams) convened during March to review all MC items along 4 dimensions
    - Alignment with general specifications (97%)
    - Item aligned with content (90%)
    - Appropriateness of answer key (98%)
    - Potential bias (2%)
  - Problematic items identified for modifications and/or deletion
- Statistical Review (Ongoing)
  - Psychometric analysis of item performance since 2000
  - Differential Item Analysis (DIF) to examine possible gender or racial/ethnic bias
  - Testing of experimental items during 2 recent administrations



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EXHIBIT 4



Todd Hill <toddryangregoryhill@gmail.com>

## You requested an informal transcript

Todd Hill <toddryangregoryhill@gmail.com>

Tue, Jul 18, 2023 at 7:32 PM

To: administrator <administrator@peoplescollegeoflaw.edu>

Cc: Kevin Clinton <antitrust@ftc.gov>, Antitrust@calawyers.org, Kevin Clinton <fbi\_ncra\_duty@fbi.gov>, "Kramer, Paul" <paul.kramer@calbar.ca.gov>, Kevin Clinton <Ruben.duran@calbar.ca.gov>, Jorge.Navarrete@jud.ca.gov, Kevin Clinton <leah.wilson@calbar.ca.gov>, melanie.shelby@calbar.ca.gov, "Sowell, Arnold" <arnold.sowell@calbar.ca.gov>, mark.toney@calbar.ca.gov, Linda Keller <lkeller@tjisl.edu>

Attorney Gonzaga,

I hope this missive finds you well.

This missive consists of a brief initial response and request to re-open and potentially expand my complaint, the production of additional evidence, and a request for clarification(s).

### 1. Initial response:

a. There appear to be several substantive errors in the conclusions and the analysis approach you indicate being taken. It also seems you are implying the use of a procedure that conforms to "due process", yet you never indicate what documents you reviewed, what persons you spoke to and you never even called during the "course" of your investigation to ask me for specific details.

b. Your letter clearly and plainly misstates the law or "accurately states the law" in a manner where the facts are misrepresented and thus misconstrues the nature of my complaints.

For example, in your letter, on page 2, under the heading "Evaluation", your first sentence is "Many of the assertions in your complaint (this one totalling 114 pages) are speculative, argumentative, or conclusory." You go on to say that **"the crux of our evaluation is only of the alleged facts."** (emphasis in bold added).

Yet you provide no examples of such statements, fail to provide information related to the documents reviewed, and otherwise fail to provide a document that actually responds to the complaints.

In addition, there is a question of privacy violations and consent under PC637; I do not believe you have the authority to say that something is merely civil, when questions of consent are ALWAYS questions of fact. You further state that "The State Bar does not have jurisdiction over civil issues." But it is a clear precept that any pattern of infractions, even minor ones, may give rise to disbarment.

The question here of staff accountability, especially for those staffers that are also sworn attorneys, for tortious acts performed over protracted periods arises.

If it were truly the case that you "accepted the alleged facts as true", then your analysis seems light. In addition, as an attorney I should not have to tell you the "specific ethical obligations violated" because you have express and constructive knowledge of the rules. (FYI - I scored 115 on the MPRE). I cannot say whether this is or is not evidence of "abuse of discretion" because I do not have sufficient details on how you actually arrived at your determination. (A further example here, there is no discussion of Federal Rule 8 or Federal Rule 9, which addresses pleading special matters and changes the standard for statement review. What may fail under Rule 8 given the nature of my claims may be appropriate under Rule 9).

c. You state that the conduct does not present "colorable" attorney misconduct. Yet here, a mere sampling from the facts yields a brief list of issues: (Note ¶ numbers reference the document HILL v STATE BAR and PEOPLES COLLEGE of LAW SFAC Complaint 223cv01298JLSPDx 050523\_.pdf, submitted with my complaint.)

Negligence (¶76, ¶94, ¶95, ¶106, ¶112, ¶114): As the entity responsible for regulating law schools and enforcing the State Bar Act of 1927, the State Bar could be held liable for negligence. This could be due to its alleged failure to take substantive action in response to the notifications about potential violations of California law by PCL's agents, Directors & Officers. It is also argued that the State Bar's gross negligence allowed PCL to operate irresponsibly and implement inappropriate public policies or regulatory rules, engaging in protracted egregious conduct.

**Breach of Fiduciary Duty (§§84, §103, §106):** If the State Bar was aware of PCL's violations and failed to act, it might be seen as a breach of their fiduciary duty. This is especially applicable if they had constructive or express knowledge of PCL's non-compliant status and continued solicitation of students and board participation.

**Conflict of Interest and Misrepresentation (§§103, §84):** The State Bar could be accused of a conflict of interest, particularly if they knowingly allowed PCL to recruit students without properly informing them of the institution's non-compliant status. In addition, if any of the individual defendants, including SPIRO, GONZALEZ, PENA, and others, made intentional misrepresentations of facts, it could lead to liability for those individuals as well as the institution they represent.

**Violation of Fair Business and Debt Collection Practices (§§97, §111, §104):** PCL's failure to provide the plaintiff with accurate records and a proper accounting for the funds they claimed were owed could be seen as a violation of fair business practices and debt collection laws. Under California Business and Professions Code Section § 8330, businesses are required to maintain and provide access to accurate records.

**Failure to Uphold Institutional Bylaws and Regulatory Rules (§§78, §79, §89, §103):** If PCL and the State Bar failed to uphold and enforce their own bylaws and regulatory rules, such as the "Unaccredited Law School Rules" or the egalitarian decision-making principles outlined in PCL's bylaws, they could face additional liability.

**Retaliation (§84):** If the individual defendants retaliated against the plaintiff for trying to address compliance issues, this could lead to legal consequences. It's illegal for organizations to retaliate against individuals who attempt to exercise their legal rights or expose illegal practices.

**Willful Negligence and Anticompetitive Behavior (§85):** The plaintiff's allegations of a pattern of willful negligence and anticompetitive combinations that removed student consumer protections, if proven, could expose PCL and the individual defendants to additional liability, potentially under both state law and federal antitrust law.

#### d. Specific issues as to State Bar conduct:

**Fraudulent Misrepresentation:** If the law school administrators knowingly misrepresented the student's grades to them or any other party, there might be grounds for a claim of fraudulent misrepresentation.

**Negligence:** If there has been an error in recording or reporting the grades, then this could be seen as a form of negligence. If the administrators failed to provide a reasonable standard of care in recording and reporting the grades, the school might be liable for damages.

**Breach of Contract:** Most students and educational institutions have a form of contract, whether written or implied. The school promised and is required to accurately record and report grades, and failed to do so. More importantly, when the parties were made aware of the conflict or questions of law, they persisted in the conduct. When does mere negligence become gross or reckless? This question goes beyond breach of contract to inquire when something is identified in the civil and penal code.

**Breach of Fiduciary Duty:** Educational institutions often have a fiduciary duty to their students. If the administrators failed to act in the best interest of the students, they could be held liable for breaching their fiduciary duties.

**Privacy Violations:** If the administrators were discussing a student's grades inappropriately or sharing the grades without the student's consent, this could potentially be a violation of privacy laws or regulations, like FERPA in the U.S.

As for criminal activity:

**Forgery:** If an administrator or faculty member changed a student's grades without the student's knowledge or permission, this could potentially be considered forgery.

**Identity Theft/Fraud:** If any part of the grade-changing process involved impersonating a student or faculty member, or using their login credentials without their permission, this could potentially fall under identity theft or fraud.

**Computer Crime/Cybercrime:** Unauthorized access to, or manipulation of, computer systems or data may constitute a computer crime or cybercrime.

**State Bar - Negligence (§§76, §94, §95, §106, §112, §114):** Being responsible for regulating law schools and enforcing the State Bar Act of 1927, the State Bar might be held liable for negligence. The State Bar's alleged failure to respond substantively to the plaintiff's notifications of potential violations of California law by PCL's agents, Directors & Officers could be seen as such. Additionally, the claim that the State Bar, in a grossly negligent manner, allowed PCL to operate and implement inappropriate public policies or regulatory rules could be grounds for negligence.

**State Bar - Breach of Fiduciary Duty (§§84, §103, §106):** If the State Bar knew about PCL's violations and didn't act, it

might be considered a breach of their fiduciary duty. This liability becomes more potent if it can be proved that they had constructive or express knowledge of PCL's non-compliant status and its ongoing solicitation of students and board participation.

State Bar and Individual Defendants (SPIRO, GONZALEZ, PENA, and others) - Conflict of Interest and Misrepresentation (§103, §84): The State Bar might face accusations of a conflict of interest, especially if it knowingly allowed PCL to recruit students without properly disclosing the institution's non-compliant status. Moreover, if the individual defendants, including SPIRO, GONZALEZ, PENA, and others, intentionally misrepresented facts, it could lead to their individual liability as well as liability for the institution they represent.

PCL - Violation of Fair Business and Debt Collection Practices (§97, §111, §104): PCL's failure to provide the plaintiff with accurate records and a proper accounting for the funds they claimed were owed could be construed as a violation of fair business practices and debt collection laws. Under California Business and Professions Code Section § 8330, businesses are mandated to maintain and provide access to accurate records.

PCL and State Bar - Failure to Uphold Institutional Bylaws and Regulatory Rules (§78, §79, §89, §103): Potential liability could arise if PCL and the State Bar failed to uphold and enforce their own bylaws and regulatory rules, such as the "Unaccredited Law School Rules" or the egalitarian decision-making principles in PCL's bylaws.

Individual Defendants (SPIRO, GONZALEZ, PENA, and others) - Retaliation (§84): If the individual defendants retaliated against the plaintiff for his attempts to address compliance issues, this could lead to their individual liability. Retaliation against individuals who seek to exercise their legal rights or expose illegal practices is prohibited by law.

PCL and Individual Defendants (SPIRO, GONZALEZ, PENA, and others) - Willful Negligence and Anticompetitive Behavior (§85): The plaintiff's allegations of a pattern of willful negligence and anticompetitive combinations that removed student consumer protections, if proven, could expose PCL and the individual defendants to additional liability, potentially under both state law and federal antitrust law.

e. Your letter implies that no internal employee discipline is appropriate either.....where the facts indicate the need for a State Bar documented response to my requests for aid and protection, there may lie other issues.

f. Finally, I have attached a closure report you authored from a facially unrelated complaint that appears more thorough in its approach and response. (Please see Cal\_20Bar\_20Response\_20-3\_20Dec\_202022.pdf (5,433K)).

g. Spiro misrepresented the facts in his motion in opposition, indicating that I had never told him or attempted to meet with him on the filing of the SFAC (attached); I have provided you with additional evidence of the false submission for you to further review. Below the list of accompanying documents, please also see a relevant email chain.

Thanks for the time and attention taken to re-open and review this matter.

When might I reasonably expect a response?

Todd

SPIRO MOTION IN OPPOSITION TO SUPPLEMENTED FAC 05212023.pdf (362K)  
 email to spiro with SFAC 05052023.pdf (77K)  
 TRANSCRIPT 08-29-22 with full Civ Pro Grades & cover letter (2).pdf (114K)  
 Todd Hill Eviction Defense Timesheet - Clinical Course v6.xls (208K)  
 Todd Hill Criminal Defense Timesheet - Clinical Course v7.xls  
 rgcsitton\_2023-07-18\_175213.pdf (3,027K)  
 Cal\_20Bar\_20Response\_20-3\_20Dec\_202022.pdf (5,433K)

Email exchange below because I have NEVER received accurate transcripts. I claim the scheme was to disincentivize transfer. Waiting 3 years for a transcript?

----- Forwarded message -----

From: **Todd Hill** <toddryangregoryhill@gmail.com>

Date: Mon, Jul 17, 2023 at 1:16 PM

Subject: Re: You requested an informal transcript

To: administrator <administrator@peoplescollegeoflaw.edu>


Cc: Edith Pomposo <dean@peoplescollegeoflaw.edu>, Kevin Clinton <natalie.leonard@calbar.ca.gov>, Kevin Clinton <leaht.wilson@calbar.ca.gov>, Kevin Clinton <hectorpena@ucla.edu>, Kramer, Paul <paul.kramer@calbar.ca.gov>, <melanie.shelby@calbar.ca.gov>, Sowell, Arnold <arnold.sowell@calbar.ca.gov>, <brandon.stallings@calbar.ca.gov>, Kevin Clinton <audrey.ching@calbar.ca.gov>, Elena Popp <elenaipopp17@gmail.com>, Héctor C. Peña Ramírez <hpena@peoplescollegeoflaw.edu>, <mark.toney@calbar.ca.gov>, Kevin Clinton <Ruben.duran@calbar.ca.gov>,


president@peoplescollegeoflaw.edu. <president@peoplescollegeoflaw.edu>, Rebecca Hirsch <registrar@peoplescollegeoflaw.edu>

[Quoted text hidden]

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**8 attachments**

 **rgcsitton\_2023-07-18\_175213.pdf**  
3027K

 **Cal\_20Bar\_20Response\_20-3\_20Dec\_202022.pdf**  
5433K

 **email to spiro with SFAC 05052023.pdf**  
77K

 **SPIRO MOTION IN OPPOSITION TO SUPPLEMENTED FAC 05212023.pdf**  
362K

 **Todd Hill Criminal Defense Timesheet - Clinical Course v7.xls**  
205K

 **TRANSCRIPT 08-29-22 with full Civ Pro Grades & cover letter (2).pdf**  
114K

 **Todd Hill Eviction Defense Timesheet - Clinical Course v6.xls**  
208K

 **HILL v STATE BAR and PEOPLES COLLEGE of LAW SFAC Complaint 223cv01298JLSPDx 050523\_.pdf**  
927K

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EXHIBIT 5





## THE STATE BAR OF CALIFORNIA

### SPECIAL DEPUTY TRIAL COUNSEL

1191 Huntington Drive #104, Duarte, California 91010  
(626) 784-5914  
email: regsitton@outlook.com

May 26, 2023

### PERSONAL AND CONFIDENTIAL

Todd Hill  
41459 Almond Avenue  
Quartz Hill, California 93551

RE: Case No.: 23-O-16326  
Respondent: Natalie Leonard

Case No.: 23-O-16327  
Respondent: Robert Spiro

Dear Mr. Hill:

I am the Special Deputy Trial Counsel<sup>1</sup> assigned to conduct an independent review and evaluation of your complaints against Natalie Leonard and Robert Spiro. My evaluation is now complete. There is insufficient basis to proceed with disciplinary investigation based on either of your complaints, and these matters are closed.

### Summary of Complaint

You have ongoing disputes with People's College of Law, a law school where you attended and/or continue to attend.

During the pertinent time period, Mr. Spiro was an administrator at the law school; he was the law school dean until 2021. Natalie Leonard was the Principal Analyst in the Admissions Office of the State Bar of California; and, in that capacity, she was reportedly responsible "for compliance reporting and student protection for law school administration and regulation."

You are complaining that Mr. Spiro committed acts that constitute breaches of contract, breaches of fiduciary duties, misrepresentation, negligence, conspiracy, extortion and civil rights violations. The alleged acts include: he did not inform students of the intended use or purpose of their tuition payments; he conspired to provide inaccurate transcripts and incorrect class credits; he did not provide you access to certain documents, including board meeting minutes and accountings, maintained by the law school; he misused funds donated to the school.

<sup>1</sup> A Special Deputy Trial Counsel is appointed pursuant to rule 2201 of the Rules of Procedure of the State Bar of California in situations where the State Bar's Office of the Chief Trial Counsel is recused from considering disciplinary complaints against various categories of individuals, including complaints that present a conflict of interest.

Complainant Todd Hill  
State Bar Investigation Nos. 23-O-16326, 23-O-16327  
Respondents Natalie Leonard and Robert Spiro  
May 26, 2023  
Page 2

**PERSONAL AND CONFIDENTIAL**

You are also complaining that Natalie Leonard breached her employment duties in that she conspired with Mr. Spiro and others in failing "to timely intervene to protect students or otherwise stop institutional misconduct" by the People's College of Law.

**Evaluation**

Many of the assertions in your complaints are speculative, argumentative or conclusory. We cannot use speculative, argumentative or conclusory statements to warrant a disciplinary investigation. Therefore, the crux of our evaluation is only of the alleged facts.

For purposes of our evaluation, we assumed that the facts you reported are true and can be proven. Then, we ascertained whether the alleged facts, if true, present a colorable violation of the State Bar Rules of Professional Conduct or the State Bar Act. If so, then, a disciplinary investigation is warranted; if not, then the complaints must be closed.

Here, it is clear that the alleged facts involving Mr. Spiro relate to the ongoing disputes you experienced or are experiencing with People's College of Law about its administration and governance. The alleged fact involving Ms. Leonard is that she refrained from interfering in those disputes.

The question then is whether Mr. Spiro's actions or Ms. Leonard's lack of action constitute a violation of the Rules of Professional Conduct or State Bar Act. They do not.

The disputes between you and the law school present civil issues. Indeed, you recently filed a civil lawsuit wherein you included the same allegations you made in the State Bar complaints against Mr. Spiro and Ms. Leonard. You incorporated the lawsuit into your State Bar complaints.

The State Bar does not have jurisdiction over civil issues. The attorney discipline system in California is not intended to resolve disputes between parties in civil cases. Moreover, the discipline system is not designed as a platform wherein parties can litigate issues that are pending in civil court. That said, however, if during the civil litigation, the judge opines that an attorney is culpable of misconduct which implicates a *specific* ethical obligation of a lawyer beyond the parameters of a pure civil dispute, the Court can always report the conduct to the State Bar on its own initiative. You may also provide the court's written opinion or ruling to the State Bar for disciplinary consideration.

Based on the above, we conclude that your complaint does not present a colorable violation of disciplinary rules. Therefore, we are closing your complaints against Mr. Spiro and Ms. Leonard.

You may consult with legal counsel for advice on available remedies including recovery of legal costs. The local or county bar association have lawyer referral services, if you need them.

If you wish to present any *new facts or circumstances* you believe may change my determination to close your complaint, you may submit a written statement with the new information to my mailing address on this letterhead.



Complainant Todd Hill  
State Bar Investigation Nos. 23-O-16326, 23-O-16327  
Respondents Natalie Leonard and Robert Spiro  
May 26, 2023  
Page 3

**PERSONAL AND CONFIDENTIAL**

If you *disagree with the decision to close your complaint*, you may submit a request for review by a different Special Deputy Trial Counsel who will review your complaint and this decision. Your complaint may be reopened if it is determined that your complaint was inappropriately closed or that you presented new, significant evidence to support your complaint. To request a second review, you must submit your request in writing, together with any new evidence you wish to be considered, post-marked within 90 days of the date of this letter. The second look request should be addressed to:

Stacia Laguna  
Special Deputy Trial Counsel – Administrator  
25005 Blue Ravine Road, Suite 110, #406  
Folsom, California 95630

If you ask for a second review, your matter will be transferred to another lawyer for independent review. That lawyer may reopen your complaint if it is determined that my decision to close this matter was an abuse of my prosecutorial discretion.

Sincerely,



Rizamari Gonzaga Sitton  
Special Deputy Trial Counsel

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EXHIBIT 6



Todd Hill &lt;toddryangregoryhill@gmail.com&gt;

## Todd Hill's email chains

6 messages

Ira Spiro &lt;ira@spirolawcorp.com&gt;

Sun, Nov 21, 2021 at 9:59 AM

To: Todd Hill <toddryangregoryhill@gmail.com>, "\"David Bouffard (davidtylerbouffard@hotmail.com)\\"  
 <DavidTylerBouffard@hotmail.com>, "\"Gary Silbiger (gsilbiger1@gmail.com)\\" <gsilbiger1@gmail.com>, "\"Gary Silbiger  
 (gsilbiger@juno.com)\\" <gsilbiger@juno.com>, "\"Hector C. Pena Ramirez\" <hpena@peoplescollegeoflaw.edu>, "\"Jessica  
 Viramontes (chuyita.viramontes@gmail.com)\\" <chuyita.viramontes@gmail.com>, "\"Pascual Torres  
 (pascualt0@yahoo.com)\\" <pascualt0@yahoo.com>, "\"Scott Bell (scottbell772@gmail.com)\\" <scottbell772@gmail.com>,  
 "\"president@peoplescollegeoflaw.edu.\\" <president@peoplescollegeoflaw.edu>, Anna Hawkins <pclhawkins@gmail.com>,  
 "CarolJD@pacbell.net" <CarolJD@pacbell.net>, "Joshua Gillins Uosh\_g19@yahoo.com" <josh\_g19@yahoo.com>, Kevin  
 Clinton <kevinclintonpro@gmail.com>, Nancy Popp <npopp@peoplescollegeoflaw.edu>, Prem Sarin  
 <premanonio1@hotmail.com>, "dean@peoplescollegeoflaw.edu" <dean@peoplescollegeoflaw.edu>, hector pena  
 <hectorpena@ucla.edu>, "Natalie Leonard (Natalie.Leonard@calbar.ca.gov)" <Natalie.Leonard@calbar.ca.gov>,  
 "audrey.ching@calbar.ca" <audrey.ching@calbar.ca>, "GC@calbar.ca.gov" <GC@calbar.ca.gov>

I write because some of the people at the State Bar are new to Todd's email chains. I have not been associated with Peoples College of Law since August 13 of this year, the effective date of my resignation as dean. But yesterday I replied to an email he sent to most of you, and me. I wrote briefly about Todd's accusation that PCL's former board chair/president, who resigned because of Todd, violated Penal Code 632 because a recording was made of a board meeting held as a Zoom meeting. This is what I wrote yesterday:

Very sad that it has come to this. I hope everyone concerned is bearing in mind this part of Penal Code 632:

"(c) For the purposes of this section, **"confidential communication"** means any communication carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the parties thereto, **but excludes a communication made** in a public gathering or in any legislative, judicial, executive, or administrative proceeding open to the public, or in any **other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded."**

I was not at the Zoom board meeting in question, but I'm told that before the recording was started, it was announced to all that the meeting was going to be recorded. Also, when a Zoom recording starts, a notification appears on the screen of each participant showing that the meeting is about to be recorded. Given that, I'm wondering why anyone is thinking that this was not a **"circumstance in which the parties to the communication may reasonably expect that the communication may be ... recorded."**

And today I add this in reply to Todd's latest email that included me, the one this morning, the morning of a board meeting.

As with any corporation. minutes of PCL board meetings are written up. They are distributed to people who did not attend the meetings - for example board members who did not attend, and others. The minutes, of course, include many communications made at the board meeting. Also, PCL is a membership corporation. The members include all students, faculty, officers, employees and many alumni. Some attend board meetings even though they are not board members. Thus, I am also wondering how anyone could be thinking that Section 632 could apply to the board meetings, since the statute requires that the communications at the meetings be **"carried on in circumstances as may reasonably indicate that any party to the communication desires it to be confined to the parties thereto."**

*Ira Spiro, Attorney at Law*

*310-235-2350 NO TEXTS -phone is a land line*

*Please Correspond by Email Only*

*I do NOT promptly see U.S. Mail, Fed Ex, UPS, etc.*

*Los Angeles, Cal.*

*ira@spiralawcorp.com*

*website: spiralawcorp.com*

*pronouns: he*

---

**From:** Todd Hill <toddryangregoryhill@gmail.com>

**Sent:** Sunday, November 21, 2021 8:57 AM

**To:** "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>; "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>; "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>; "Hector C. Peria Ramfrez" <hpena@peoplescollegeoflaw.edu>; "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>; "Pascual Torres (pascualtO@yahoo.com)" <pascualtO@yahoo.com>; "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>; "president@peoplescollegeoflaw.edu." <president@peoplescollegeoflaw.edu>; Anna Hawkins <pclhawkins@gmail.com>; CarolJD@pacbell.net; Ira Spiro <ira@spiralawcorp.com>; Joshua Gillins Uosh\_g19@yahoo.com) <josh\_g19@yahoo.com>; Kevin Clinton <kevinclintonpro@gmail.com>; Nancy Popp <npopp@peoplescollegeoflaw.edu>; Prem Sarin <premanio1@hotmail.com>; dean@peoplescollegeoflaw.edu; hector pena <hectorpena@ucla.edu>

**Subject:** Fwd: our conversation today

My apologies; I missed some of the participants in the earlier sending of this email. See below: EXHIBIT 6, pg. 3 of 11

--- Forwarded message -----

From: **Todd Hill** <toddryangregoryhill@gmail.com>

Date: Sun, Nov 21, 2021 at 12:02 AM

Subject: Fwd: our conversation today

To: Leonard, Natalie <natalie.leonard@calbar.ca.gov>, Christina Gonzalez (christina.marin.gonzalez@gmail.com) <christina.marin.gonzalez@gmail.com>, Ira Spiro <ira@spirolawcorp.com>, hector pena <hectorpena@ucla.edu>, Anna Hawkins <pclhawkins@gmail.com>

CC: <audrey.ching@calbar.ca.gov>, David Bouffard (davidtylerbouffard@hotmail.com) <DavidTylerBouffard@hotmail.com>, Rebecca Hirsch <registrar@peoplescollegeoflaw.edu>, <CarolJD@pacbell.net>, <GC@calbar.ca.gov>

Dean Emeritus Spiro,

This communication is not privileged.

I have included Audrey Ching, whom Natalie Leonard has indicated is her direct supervisor. Ms. Ching's official title is Assistant Director of Admissions.

I have also taken the liberty of including CalBar's General Counsel, Vanessa Holton as well, since my request for ESCALATION to a Supervisor given that it has taken CalBar in excess of ONE HUNDRED AND TEN DAYS (110+) to affirm or deny the status of the school after a unit deviation from the guidelines was discovered.

I reference the email chain *infra* in the hopes that it may aid your recollection of both past events and prior substantive discussions directly covering your question related to criminal culpability for PC 632.

I was surprised by your question, as we had covered it so thoroughly in prior conversations.

Although I do not believe you would be estopped from claiming ignorance of the law, I doubt it would serve as a mitigator to the conduct here, since there is clear communication related to the issues.

Also, it is important to clarify that the Board is currently in violation of a lawfully executed demand for the production of documents. If there is no issue with the recording, I invite those who have access to the video to produce it.

Christina's use of rhetoric and hyperbole clearly lacks any substantive value. I assert that I have represented the facts to the best of my ability in good faith, I CLAIM THE ABSOLUTE DEFENSE OF THE TRUTH in regards to my allegations related to the reckless and very likely criminally culpable conduct of Christina Gonzalez.

In regards to any cease and desist requests from any party where I have made an allegation, I stand behind the integrity of the basis used to make any accusations as all resulted from some aspect of my fiduciary requirements, or at least I reasonably believed them to be.

I will NOT cease NOR will I desist until every lawful and appropriate avenue is pursued to hold any whose conduct did not adequately comport to the requirements of the circumstance(s)!

Finally, although it should not be necessary, under the circumstances I feel it necessary to remind Licensee of their absolute DUTY OF CANDOR TO THE TRIBUNAL.

Todd

**Todd Hill** <toddryangregoryhill@gmail.com>

Mon, Nov 22, 2021 at 11:54 AM

To: Ira Spiro <ira@spirolawcorp.com>

Cc: "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>, "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>, "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>, "Hector C. Pena Ramfrez" <hpena@peoplescollegeoflaw.edu>, "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>, "Pascual Torres (pascualtO@yahoo.com)" <pascualtO@yahoo.com>, "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>, "president@peoplescollegeoflaw.edu." <president@peoplescollegeoflaw.edu>, Anna Hawkins <pdhawkins@gmail.com>, CarolJD@pacbell.net, "Joshua Gillins Uosh\_g19@yahoo.com)" <josh\_g19@yahoo.com>, Kevin Clinton <kevindintonpro@gmail.com>, Nancy Popp <npopp@peoplescollegeoflaw.edu>, Prem Sarin <premantonio1@hotmail.com>, dean@peoplescollegeoflaw.edu, hector pena <hectorpena@ucla.edu>, "Natalie Leonard (Natalie.Leonard@calbar.ca.gov)" <Natalie.Leonard@calbar.ca.gov>, GC@calbar.ca.gov, audrey.ching@calbar.ca.gov

Dean Emeritus Spiro,

I did not include CalBar staff re a PC 632 violation, although the simple answer to your inquiry is that the sovereign does not grant persons the right to charge and prosecute acts that carry criminal culpability. A right a person does not have cannot be alienated or waived by civil contract as it is exercised solely under the discretion of the Sovereign through authorized agents. A distinction of note is that the manner of consent for a corporation, a person as an entity, is through vote. Even were it the case that a third-party "adhesion contract" could in fact somehow avoid or constrain criminal liability by notice in the case of a natural person, in the case of an entity, no such claim can be made absent the presence of prior vote.

In addition, Dean Spiro, you actually included the reason why one would reasonably expect the meeting notes and comments to be "confidential"; by definition they were confined to a specific "membership", identified as the "Community". A private conversation between members of the same community, business, or other entity may ostensibly include any number of individuals. It is the privity of relationship that functions here to establish the expectation of privacy. Public policy would be averse to having things otherwise, as the goal is to avoid "the chilling effect" it may have on honest discourse.

**The reason I included staff in the chain was to hopefully accelerate what has now been in EXCESS OF ONE HUNDRED DAYS (100+) for what should have been a simple determination for the institutions (the incorrect award of 2 units for core topic courses instead of the guideline mandated 3), but I now believe is a much graver circumstance in character.**

The following issues require resolution:

1. PCLAdministration some time in the last four (4) years knew or should have known that the College was in material and substantial nonconformity to the Guidelines and Rules for Registered Institutions.
2. Members of the Administration either failed to inquire and/or inform both peer Board Members as well as the student body, while actively recruiting both students and members of the Board, and in fact sought to hide the fact of this nonconformity.
3. Members of the Administration entered into enrollment contracts with payment components that the students were to sign. No student to my knowledge was properly informed of, what I now believe is "more likely than not" the long term history of PCL's nonconformance.
4. When a student fell behind in payments, of which I am one, then the student was forced to sign a payment plan that included specific language that, even if the student later discovered the probable facts in this matter, the contract would likely harm not only the student's ability to seek recovery.
5. Nonstandard and "illegal" proprietary unit assignments made it impossible for students to transfer, since after transfer the student would require more time to meet the specific unit requirements for a degree. An example: Where the average student might acquire 36 quarter units, for the same hourly "workload" I would only be awarded two units.



The result here is that students who have passed the Baby Bar but have not yet discovered the nonconformance are trapped; since student sophistication generally increases over time, the system serves to essentially "trap" the student at the school with no way to readily avail themselves of recourse.

6. PCL's Administration is currently in violation of a lawfully executed demand for the production of documents. This is and of itself is an issue of noncompliance.

It can be difficult not to conflate the civil right of action granted to persons by the Sovereign versus the rights of punitive action, including the right to charge and, if convicted, receive admonishment under the supervision of the Sovereign.

To wit:

Strict compliance is important, but I can understand why facially this may seem like a minor issue; however, it was the unprecedented use of tactics to delay, deflect, deny, and in my opinion defame me that prompted a closer review and my duties to the organization that have moved me to act.

The core of my allegations, focusing just on the conduct and not any potential motives, are as follows:

1. PCL Administration knew or should have known that it had unlawfully deviated from CALBAR's statutorily authorized and enforceable guidelines when it introduced a proprietary quarterly unit, in DIRECT CONFLICT with Section 5.9 of the Rules for Unaccredited Law Schools, "Quantitative Academic Requirements", which explicitly defines credits to be issued in reference to associated hours of study.

The relevant portion of Section 5.9 makes it unequivocally clear that, "One quarter unit is defined as ten (10) hours of classroom instruction."

Here, I reiterate that PCL awards approximately 66% of the required quantity of units. For every 36 units a student in a compliant school would receive, our students receive 2.

2. PCL Administration, most specifically Hector Pena, knew or should have known that, in the case of deviations, pursuant to Section

The issue at hand for the Bar is what I believe to be an obvious DEVIATION FROM THE GUIDELINES THAT IS BARRED BY STATUTE AND CALBAR POLICY.

WHY HAS IT TAKEN THE BAR IN EXCESS OF 115 DAYS TO PROVIDE A CLARIFICATORY RESPONSE GIVEN THE SIMPLICITY OF THE QUESTION?

The issue before the Bar is the question of whether you knew or should have known during your tenure as Dean that an assignment for two (2) units per quarter class completed was insufficient.

THE SOVEREIGN HAS SOLE AUTHORITY TO CHARGE AND PROSECUTE ON BEHALF OF THE PEOPLE.

GENERALLY, the Sovereign, in its sole authority assigns or declines to issue charges related to issues defined in the penal code and/or other codes and statutes where criminal culpability has been expressly defined.

As one recalls, a core principle of American jurisprudence is the notion that standing to bring criminal action on behalf of the public is exclusively reserved to the Sovereign.

CONSEQUENTLY, A PERSON OR INDIVIDUAL CANNOT WAIVE WHAT IS ONLY THE SOVEREIGN'S RIGHT TO MAKE CHARGE, PROSECUTE, AND PUNISH THE CULPABLE.

There are likely many reasons for the PC 632 code to allow for the making of civil claims; I cede that in many cases the corequisite circumstances may not rise to the level the Sovereign wishes to expend effort to prosecute even though the law has been violated.

Another way to look at it might be:

THE SOVEREIGN GRANTS, REVOKES, OR NEGATES THE RIGHTS OF A PERSON TO MAKE A CIVIL CLAIM AT ITS OPTION WITHIN THE CONFINES OF THE CONSTITUTION.

THE SOVEREIGN NEVER GRANTS THE RIGHTS OF A PERSON TO MAKE NOR ENFORCE A CAUSE OF ACTION FOR CRIMINAL CULPABILITY.

CIVIL CLAIM AT ITS OPTION WITHIN THE CONFINES OF THE CONSTITUTION.

HERE THERE IS NO QUESTION OF THE CONDUCT

The shortest answer I can derive is that rights arising out of tort or other standard for civil action are exercisable at the option of the injured or aggrieved party, except in rare cases where standing has been determined by statute or precedent

I will attempt to answer your question here in short and succinct fashion. There are four (4) reasons the question around "consent" is generally considered a question for the judge to ascertain if a decision is to be made by the jury.

As we all recall, a core principal of American jurisprudence is the notion that standing to bring criminal action on behalf of the public is reserved to the Sovereign.

Here, we have an alleged PC 632 violation with the following elements:

1. No third-party, real or entity, can absolve an individual of their Sovereign-assigned

But there is a further principal, one of arguably equal import:

Finally, two hypotheticals to more explicitly illustrate the conduct and its resulting violative effects:

1.

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*I believe your security is a high priority. Therefore, I have made reasonable effort in ensuring that the message is error and virus-free. Unfortunately, full security of the email cannot be ensured as, despite my efforts, the data included in emails could be infected, intercepted, or corrupted. Therefore, the recipient should check the email for threats with proper software, as the sender does not accept liability for any damage inflicted by viewing or manipulation of the content of this email.*

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Crea que su seguridad es una alta prioridad. Por lo tanto, he hecho un esfuerzo razonable para asegurarme de que el mensaje no contenga errores ni virus. Desafortunadamente, no se puede garantizar la seguridad total del correo electrónico ya que, a pesar de mis esfuerzos, los datos incluidos en los correos electrónicos podrían estar infectados, interceptados o dañados. Por lo tanto, el destinatario debe verificar el correo electrónico en busca de amenazas con el software adecuado, ya que el remitente no acepta responsabilidad por cualquier dano infligido al ver o manipular el contenido de este correo electrónico.

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필요한 경우가 아니면 이 메일을 인쇄하지 마십시오. 인쇄되지 않은 모든 이메일은 환경에 도움이 됩니다.

[Quoted text hidden]

Ira Spiro <ira@spirolawcorp.com>

Mon, Nov 22, 2021 at 5:43 PM

To: Todd Hill <toddryangregoryhill@gmail.com>

Cc: "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>, "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>, "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>, "Hector C. Pena Ramfrez" <hpena@peoplescollegeoflaw.edu>, "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>, "Pascual Torres (pascualtO@yahoo.com)" <pascualtO@yahoo.com>, "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>, "president@peoplescollegeoflaw.edu." <president@peoplescollegeoflaw.edu>, Anna Hawkins <pdhawkins@gmail.com>, "CarolJD@pacbell.net" <CarolJD@pacbell.net>, "Joshua Gillins Uosh\_g19@yahoo.com)" <josh\_g19@yahoo.com>, Kevin Clinton <kevinclintonpro@gmail.com>, Nancy Popp <npopp@peoplescollegeoflaw.edu>, Prem Sarin <premantonio1@hotmail.com>, "dean@peoplescollegeoflaw.edu" <dean@peoplescollegeoflaw.edu>, hector pena <hectorpena@ucla.edu>, "Natalie Leonard

What? It's very hard to figure out what your trying to say, Todd, especially in that fust paragraph.

But please understand that expectation of privacy is not the only requirement for violation of PC 632- that's plain from the words of the statute, which in my view show there was no violation.

Also, if you will look at the email chain you sent to State Bar staff and many others, you will see that you did include your PC 632 accusation and your other accusations of criminal activity.

In this reply I am deleting your email to me, below your second paragraph, and deleting the rest of that long email chain, because you've written those things before and because I believe I should not cause an email reiteration of your accusations.

*Ira Spiro*

---

**From:** Todd Hill <toddryangregoryhill@gmail.com>  
**Sent:** Monday, November 22, 2021 11:54 AM  
**To:** Ira Spiro <ira@spirolawcorp.com>  
**Cc:** David Bouffard (davidtylerbouffard@hotmail.com) <DavidTylerBouffard@hotmail.com>; Gary Silbiger (gsilbiger1@gmail.com) <gsilbiger1@gmail.com>; Gary Silbiger (gsilbiger@juno.com) <gsilbiger@juno.com>; Hector C. Pena Ramirez <hpena@peoplescollegeoflaw.edu>; Jessica Viramontes (chuyita.viramontes@gmail.com) <chuyita.viramontes@gmail.com>; Pascual Torres (pascualt0@yahoo.com) <pascualt0@yahoo.com>; Scott Bell (scottbell772@gmail.com) <scottbell772@gmail.com>; president@peoplescollegeoflaw.edu. <president@peoplescollegeoflaw.edu>; Anna Hawkins <pclhawkins@gmail.com>; CarolJD@pacbell.net; Joshua Gillins Oosh\_g19@yahoo.com) <josh\_g19@yahoo.com>; Kevin Clinton <kevinclintonpro@gmail.com>; Nancy Popp <npopp@peoplescollegeoflaw.edu>; Prem Sarin <premanantonio1@hotmail.com>; dean@peoplescollegeoflaw.edu; hector pena <hectorpena@ucla.edu>; Natalie Leonard (Natalie.Leonard@calbar.ca.gov) <Natalie.Leonard@calbar.ca.gov>; GC@calbar.ca.gov; audrey.ching@calbar.ca.gov  
**Subject:** Re: Todd Hill's email chains

Dean Emeritus Spiro,

I did not include CalBar staff re a PC 632 violation, although the simple answer to your inquiry is that the sovereign does not grant persons the right to charge and prosecute acts that carry criminal culpability. A right a person does not have cannot be alienated or waived by civil contract as it is exercised solely under the discretion of the Sovereign through authorized agents. A distinction of note is that the manner of consent for a corporation, a person as an entity, is through vote. Even were it the case that a third-party "adhesion contract" could in fact somehow avoid or constrain criminal liability by notice in the case of a natural person, in the case of an entity, no such claim can be made absent the presence of prior vote.

In addition, Dean Spiro, you actually included the reason why one would reasonably expect the meeting notes and comments to be "confidential"; by definition they were confined to a specific "membership", identified as the "Community". A private conversation between members of the same community, business, or other entity may ostensibly include any number of individuals. It is the privity of relationship that functions here to establish the expectation of privacy. Public

policy would be averse to having things otherwise, as the goal is to avoid "the chilling effect" it may have on honest discourse.

[REST OF NOVEMBER 22 EMAIL FROM MR. HILL AND REST OF EMAIL CHAIN DELETED BY Ira Spiro]

---

**Todd Hill** <toddryangregoryhill@gmail.com> Mon, Nov 22, 2021 at 6:10 PM  
To: **Ira Spiro** <ira@spirolawcorp.com>  
Cc: "David Bouffard (davidtylerbouffard@hotmail.com)" <DavidTylerBouffard@hotmail.com>, "Gary Silbiger (gsilbiger1@gmail.com)" <gsilbiger1@gmail.com>, "Gary Silbiger (gsilbiger@juno.com)" <gsilbiger@juno.com>, "Hector C. Pena Ramirez" <hpena@peoplescollegeoflaw.edu>, "Jessica Viramontes (chuyita.viramontes@gmail.com)" <chuyita.viramontes@gmail.com>, "Pascual Torres (pascualt0@yahoo.com)" <pascualt0@yahoo.com>, "Scott Bell (scottbell772@gmail.com)" <scottbell772@gmail.com>, "president@peoplescollegeoflaw.edu." <president@peoplescollegeoflaw.edu>, Anna Hawkins <pdhawkins@gmail.com>, CarolJD@pacbell.net, "Joshua Gillins Uosh\_g19@yahoo.com)" <josh\_g19@yahoo.com>, Kevin Clinton <kevindlintonpro@gmail.com>, Nancy Popp <npopp@peoplescollegeoflaw.edu>, Prem Sarin <premantonio1@hotmail.com>, dean@peoplescollegeoflaw.edu, hector pena <hectorpena@ucla.edu>, "Natalie Leonard (Natalie.Leonard@calbar.ca.gov)" <Natalie.Leonard@calbar.ca.gov>, GC@calbar.ca.gov, audrey.ching@calbar.ca.gov

Ira,

The matter for the bar were the points I reiterated related to the institutions noncompliance.

Please understand that I did not understand the entire scheme until Friday and my call with Natalie Leonard.

As for the clarity of my statement that basically gives the reason I cannot go down and slap cuffs on those I allege have participated in criminal activity. Vigilantism would make for terrible social policy.

I reiterate my prior suggestions that you seek counsel.

Todd

Clearly, as a lawyer, you do understand that the recording made without consent with the expectation of privacy is generally sufficient

[Quoted text hidden]

---

**Ira Spiro** <ira@spirolawcorp.com> Mon, Nov 22, 2021 at 7:18 PM  
To: **Todd Hill** <toddryangregoryhill@gmail.com>

Oh. But I still don't understand why you think it's worth explaining why you aren't going down and slapping cuffs on people.

Ira

[Quoted text hidden]

---

**Todd Hill** <toddryangregoryhill@gmail.com> Mon, Nov 22, 2021 at 7:30 PM  
To: **Ira Spiro** <ira@spirolawcorp.com>

Ira,

I really wish I could help you, but the realities here are pretty straightforward.

Todd

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*I believe your security is a high priority. Therefore, I have made reasonable effort in ensuring that the message is error and virus-free. Unfortunately, full security of the email cannot be ensured as, despite my efforts, the data included in emails could be infected, intercepted, or corrupted. Therefore, the recipient should check the email for threats with proper software, as the sender does not accept liability for any damage inflicted by viewing or manipulation of the content of this email.*

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*Creo que su seguridad es una alto prioridad. Por lo tanto, he hecho un esfuerzo razonable para asegurarme de que el mensaje no contenga errores ni virus. Desafortunadamente, no se puede garantizar la seguridad total del correo electr6nico ya que, a pesar de mis esfuerzos, Los datos incluidos en Los correos electr6nicos podrian estar infectados, interceptados o danados. Por lo tanto, el destinatario debe verificar el correo electr6nico en busca de amenazas con el software adecuado, ya que el remitente no acepta responsabilidad por cualquier dano infligido al ver o manipular el contenido de este correo electr6nico.*

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EXHIBIT 7

## **ELECTION COMMITTEE REPORT**

November 20<sup>th</sup>, 2021

### **Committee Formation**

**August 12, 2021-** Brian Godfrey texts Scott Bell with a request that Bell serve on the 2021 Election Committee (EC).

**August 15, 2021-** Bell attends the PCL Board Meeting to determine the timeframe of the 2021 Election and other members of the EC; Nancy Popp, Hector Sanchez and Pascual Torres are the names given to Bell.

**August 17, 2021-** Bell emails Popp, Sanchez and Torres to form the committee, stating that under PCL Bylaws at least three members are needed and there must be an odd number of members. Popp responds via email on 8/18/21 affirming her participation as a voting member of the EC. Sanchez and Torres respond on 8/21/21 requesting a meeting to discuss. A meeting is scheduled for 9/3/21; all four agree to attend.

**September 3, 2021-** Bell and Popp meet as scheduled; Sanchez and Torres do not attend. Popp and Bell lay out an election timeline for nominations/statement submission/voting. Bell agrees to update the Notice of Election, send it by email and create a ballot. Popp takes notes and send them by email to all four parties.

**September 4, 2021-** Sanchez emails apologizing for missing the 9/3/21 meeting. Torres does not respond.

### **Election Preparation/Execution**

**September 11, 2021-** Bell emails an updated Notice of Election to all four parties for review. Torres replies with edits the same day; Sanchez and Popp respond the following day, 9/12/2021.

**September 12, 2021-** Bell emails the Election Notice to the PCL Community from a list given to him by Magda Madrigal for the 2020 election.

**September 14-15, 2021-** Bell is notified by Brian Godfrey that current 1L's did not receive the Election Notice. He is provided a list of current 1L contact info by Hector Peña.

**September 21, 2021-** Bell emails the Election Notice to the current PCL 1L class per Peña's request after receiving their emails from Peña. This decision was not brought to the EC.

**September 26, 2021-** Bell emails Popp, Sanchez and Torres a list of PCL Board Candidate nominees.

**September 28, 2021-** Interim Dean Juan Flores requests an extension for Board Nominations/Statements from the 1L class, followed by a request from 1L Juan Flores.

Source: [https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp\\_peoplescollegeoflaw\\_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg](https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp_peoplescollegeoflaw_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg)



**September 29, 2021-** Bell emails Popp, Sanchez and Torres the request for extension of nominations. All three respond via email the same day confirming the extension of nominations and submission of candidate statements from 9/26/21 until 10/3/2021.

**September 30, 2021-** Bell sends an email to all nominees affected by the delayed notice with a deadline for Statements of 10/3/2021 at 6pm PST, stating that due to the 3.5 day turnaround, there will be leeway granted for late submissions.

**October 4, 2021-** Bell receives an email from Todd Hill the morning after the deadline asking if he can still send a candidate statement. Bell forwards this email to the committee asking if anyone objects. Later that same day, Bell receives a self-nomination and candidate statement from Hill.

**October 5, 2021-** Bell, Popp and Sanchez vote by email to accept the late submission from Hill, fulfilling the three-member vote for the EC. Torres objects.

**October 8, 2021-** Bell sends the PCL Board Election ballot out via email; voting ends 10/15/2021.

**October 15, 2021-** Bell emails PCL Election results to the Community.

#### **Post-Election Conflict**

**October 16, 2021-** Bell receives an email from Hector Peña stating that he spoke to Sanchez and Torres about the legitimacy of Todd Hill's nomination, asking Bell about the date of Hill's nomination. Bell responded in detail with dates of Hill's nomination/statement email, CC'ing Popp, Hill, Sanchez, and Torres. Peña requests to bring the matter before the PCL Board at the next day's meeting. Hill responds stating there is a Conflict of Interest at stake in the inquiry and that he self-nominated when submitting his statement. There is a conflictual email exchange between Peña, Torres, Bell and Hill.

**October 17, 2021-** Bell requests an 'Emergency' Meeting of the EC via email to Popp, Sanchez, Torres around 9:10am. Sanchez, Torres and Bell meet at 10:51 am without awaiting a response from Popp, and three vote to disqualify Hill's nomination and statement as 'untimely' and reverse his election from the PCL Board. Bell attends part of the PCL Board Meeting that day to report the EC's 'decision'. Popp contacts Bell via text/phone around 1pm, explaining she was away from phone/computer due to a regular Sunday personal commitment. Popp asks why the meeting occurred without her as a voting member, and states that according to common courtesy (and PCL Bylaws) there was no need for an Emergency Meeting.

Popp emails Bell, Sanchez and Torres at 3:31pm stating that the meeting/vote was improper, given she was not allowed to participate as a voting member of the EC, and requesting the meeting be rescheduled.

Bell emails Popp, Sanchez and Torres at 4:51pm stating the PCL Board requests a report from the EC Committee about their decisions; all agree to contribute to the report. Bell also seeks an extension of Formal Complaints or Appeals regarding the election to 10/27/21. Popp, Sanchez and Torres agree to the extension.

**October 28, 2021-** Bell submits an initial draft of the EC Report via email to Popp, Sanchez, and Torres. Source: [https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp\\_peoplescollegeoflaw\\_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg](https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp_peoplescollegeoflaw_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg)



Popp responds with concerns that the report does not address the status of Torres on the EC and whether he was actual voting member, given the EC was limited to 3 or 5 members per PCL's Bylaws. Popp also states that Peña's inquiry was not a Formal Complaint that would allow the EC to vote on whether or not to change the election results. Torres objects, while Bell agrees with Popp about the 10/17/21 meeting's status.

**October 30, 2021-** Discussions continue over email between Bell, Popp, Sanchez and Torres on how to report the EC's actions to the PCL Board. Popp and Bell note multiple violations of the PCL Bylaws in the election's planning and execution, and Bell suggests deeming the election invalid and holding another election.

**November 16, 2021-** Email discussions continue over email between Bell, Popp, and Torres with little input from Sanchez after a pause for Bell to sit for the MPRE. Revisions to Bell's draft report are submitted by Popp but not included by Bell in their entirety.

The sections of the PCL Bylaws in question are:

SECTION 9.2 - ELECTIONS TO THE PCL BOARD

9.2.a "Open nominations will be held throughout the month of October."

9.2.e "Elections are held no later than the last day of November."

9.6.a "The Community Board will appoint an Election Committee to supervise any regular or special election...it must have no less than 3 members or an odd number of members."

SECTION 9.8 - ELECTION PROTESTS or APPEALS

9.8.a "Any affected member may protest...the eligibility of a candidate...shall be made by complaint in writing to the respective Election Committee...prior to, during or within 10 days of the election."

9.8.b "The committee shall consider/investigate the complaint and attempt to resolve the protest or come to a decision within 10 days after receipt of the complaint."

9.8.c "All appeals must set forth the exact nature and specifications of the complaint and how the alleged infractions affected the outcome of the election."

9.8.d "All elected board members and officers shall resume their duties and responsibilities after their respective election regardless of whether the election has been protested. They will remain in their respective office under their terms expire or until newly elected Board Members are elected as a result of an ordered rerun election or a decision on complaint or appeal by the Election Committee or Community Board."

Since there is a difference of opinion amongst Bell, Popp, Sanchez, and Torres on how these Bylaws apply to the actions taken by the EC, there is not a version of an EC report that can be submitted with the participating parties in agreement. The discussions have been heated at times and questions remain whether Torres was in fact an official voting member of the EC, whether there was a Complaint submitted by Hector Peña, the validity of the October 17<sup>th</sup> EC meeting held on short notice without all EC members in attendance when there was no emergency deadline to do so, and if the EC's actions to change an election result that removed an elected Board Member were unsanctioned by or in violation of PCL's Bylaws.

Signed,

Source: [https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp\\_peoplescollegeoflaw\\_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg](https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp_peoplescollegeoflaw_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg)

Nancy Popp, 2L  
npopp@peoplescollegeoflaw.edu

Source: [https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp\\_peoplescollegeoflaw\\_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg](https://peoplescollegeoflaw0-my.sharepoint.com/:w:/g/personal/npopp_peoplescollegeoflaw_edu/ER1p3VGvkyJAplCwi71QHeoB-IXG1eSQssROQ53bnWWPOQ?rttime=bAHpoRAU2kg)



Todd Hill <toddryangregoryhill@gmail.com>

---

## Fw: Appeals process

1 message

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**Nancy Popp** <npopp@peoplescollegeoflaw.edu>  
To: Todd Hill <toddryangregoryhill@gmail.com>

Sat, Nov 20, 2021 at 12:53 PM

FYI

--

Nancy Popp  
People's College of Law, 2L ('24)

---

**From:** Nancy Popp <npopp@peoplescollegeoflaw.edu>  
**Sent:** Saturday, November 20, 2021 12:51 PM  
**To:** Scott Bell <scottbell772@gmail.com>; P Torres <pascualt0@yahoo.com>  
**Cc:** hector sanchez <hsan213@yahoo.com>  
**Subject:** Re: Appeals process

I have written a simplified timeline of the actions of the EC around the 2021 Election; it is attached as a Word doc and here is a link to the timeline in OneDrive.

I hope this will be a simpler way to describe the facts and the violations to the PCL Bylaws that have occurred. I would want this report submitted alongside whatever you submit to the PCL Board, Scott.

The Bylaws are there when disagreement arises; as any Contract does, the Bylaws point a way forward on agreed-to standards of action when disagreements arise between parties. Let the Bylaws be our guide, that is what they are there for.

--

Nancy Popp  
People's College of Law, 2L ('24)

---

**From:** Scott Bell <scottbell772@gmail.com>  
**Sent:** Saturday, November 20, 2021 9:28 AM  
**To:** P Torres <pascualt0@yahoo.com>  
**Cc:** Nancy Popp <npopp@peoplescollegeoflaw.edu>; hector sanchez <hsan213@yahoo.com>  
**Subject:** Re: Appeals process

And, I'd like to add, the idea of submitting a majority vote report sits particularly uncomfortably with me if the vote is 3-1 with Nancy as the vote against, because her voice was excluded in the decision to reject Todd's nomination. I'd really like to find a way to include it in the report.

On Sat, Nov 20, 2021 at 9:19 AM Scott Bell <scottbell772@gmail.com> wrote:

I suppose we can do a majority vote report, but my goal throughout is to come up with something all 4 of us could agree to, but as I said elsewhere, that may not be possible.

On Sat, Nov 20, 2021 at 7:01 AM <pascualt0@yahoo.com> wrote:

Yes, but I'll prefer we vote on the report that was almost complete and submit the report and vote.

Pascual

On Friday, November 19, 2021, 12:50:53 PM PST, Scott Bell <scottbell772@gmail.com> wrote:

Would everyone be willing to agree to a very short statement rather than a full report; something like.

"After the election to People's College of Law occurred, an alleged issue regarding the timeliness of Todd Hill's nomination was raised informally by non-committee member, Hector Pena, via email. On October 17, 2021, a meeting of the Election's Committee was held to conduct a vote on the alleged issue. Scott Bell, Pascual Torres, and Hector Sanchez voted unanimously to reject Todd's nomination as untimely. Committee member, Nancy Popp was not present at the meeting due to it being put together in less than two hours and therefore never receiving notice. Ms. Popp believes that the meeting was invalid and should have no effect for failure to follow any process described in the People's College of Law bylaws. Specifically, the "Election Protest and Appeals" process described in Section 9.8 of the bylaws was not followed and any vote that changed a result of the election can only be valid if it followed this process. Ms. Popp also believes that Pascual was a non-voting member of the committee and that Pascual voted in her stead on October 17. A variety of opinions are held by the individual members of this committee on these issues and, as a unit, we cannot and will not offer an opinion. However, to determine the current membership of PCL's a decision of these matters will have to be made. The individual members of the committee are available to answer questions should they arise."

On Thu, Nov 18, 2021 at 10:02 PM Scott Bell <scottbell772@gmail.com> wrote:

Re: This is your interpretation - 100% and I don't propose we include it in the report. We should be saying what actions were taken and occurred as a result. Whether an election was rescinded or a decision was retroactively applied doesn't need to be weighed in on. It can just be "On [date], the committee held a vote on [issue]. [present members] were present. The result of that vote was [result]"

Re: Interpretation is discussing the difference 'between "not sanctioned by" and "in violation of." - I disagree. These things have concrete definitions. If we do something the bylaws say we can't we're "in violation of". If we do something the bylaws doesn't say we can we're "not sanctioned by"

Re: The fact is I was not informed of the Oct 17th meeting in time to attend nor was I allowed to vote. - The draft report states these facts.

I'm starting to believe that the only solution is to tell the board that due to disagreements within the committee no report is possible to be produced.

On Thu, Nov 18, 2021 at 9:39 PM Nancy Popp <npopp@peoplescollegeoflaw.edu> wrote:

See below.

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Nancy Popp

People's College of Law, 2L ('24)

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**From:** Scott Bell <scottbell772@gmail.com>

**Sent:** Thursday, November 18, 2021 9:14 PM

**To:** Nancy Popp <npopp@peoplescollegeoflaw.edu>

**Cc:** P Torres <pascualt0@yahoo.com>; hector sanchez <hsan213@yahoo.com>

**Subject:** Re: Appeals process

Thanks. I still don't think we can call these facts.

First, referring to what occurred as "rescinding Todd's election" is, I think, an inaccurate description of what happened. But it's definitely an interpretation of what happened, not a fact. In effect, it resulted in an election result being changed, but it was a ruling on an issue that should have been ruled on prior to the election and retroactively applying it.

This is your interpretation; the fact is Todd was nominated, elected, and his election was rescinded. The Committee did rule on the issue of Todd's nomination/statement via email prior to October 8th. Todd's email stated he was self-nominating. These are the facts.

Second, there's a difference between "not sanctioned by" and "in violation of." It's possible that, either way, the meeting was invalid. I'm willing to put in the report that the meeting of 10/17 was "not sanctioned by" the bylaws as a fact, because that's undeniably true. Nothing in the bylaws gave us the right to hold that meeting, but I don't see that it is forbidden either. I'm not willing to say it was in violation of the bylaws or to say that the meeting was invalid or had no effect as facts. Those statements are conclusions that can only be reached by interpreting the facts in a certain manner. I don't think it's an unreasonable interpretation, but I know we aren't unified in that interpretation. So, it can't be included as a fact, because it's a conclusion. It can't be included as a conclusion, because it's not agreed between us.

The 10/17 meeting was essentially held without cause because there was no formal complaint or challenge to the election which would predicate a calling of such a meeting- this is a fact. Yet the EC met on two hours without a viable member and made a decision that overturned an election result- this is also a fact. These are facts, not interpretations. Interpretation is discussing the difference between "not sanctioned by" and "in violation of."

Third, pretty much the same argument as #2. Saying that one of the members needed to have been a non-voting member is perhaps a correct interpretation of the bylaws, but it's an interpretation. Personally, I think it's more dire than that. The bylaws don't sanction an even numbered committee provided only an odd number are voting members. So, even if there had been a non-voting member, the committee would be out of compliance. However, further, I believe it's counterfactual. Regardless of what was allowed by the bylaws, no one ever agreed to be a non-voting member. Other than a suggestion that someone be a non-voting member that wasn't responded to, the subject was never brought up. I never assumed that any member was a non voting member when holding votes. Having a four member committee was almost certainly a violation of the bylaws, but that doesn't mean we can retroactively pretend that someone was considered a non-voting member to feign compliance. To get abstract about it, we are each equally the extra member; we can't choose one based on a specific order of responses in an email chain and determine "so, that's the one that doesn't count." Scott, we had this discussion in writing via email at the formation of the committee on August 7th. The fact that the committee was limited to 3 persons was laid out. The fact is that I responded confirming I was a voting member of the committee. The fact is I was not informed of the Oct 17th meeting in time to attend nor was I allowed to vote. These are facts. Rotating votes between members of a committee whose size is not in compliance with PCL's Bylaws means that committee's votes/decisions are out of compliance with the Bylaws. That is a fact.

I know you feel strongly that these must be included. I'm happy to, concurrently with the submission of this report, also submit a document that would be named something like "Additional Statement of Nancy Popp." or if we really can't get to something you're willing to sign off on, we can, rather than a unified report, do a "Statement of Scott Bell, Pascual Torres, and Hector Sanchez" and "Statement of Nancy Popp."

I'm sorry that we seem to be at odds here regarding the clear facts of what occurred. I prefer to describe what happened in simple and clear terms. Otherwise, it looks like we are hiding something or trying to cover our asses, or pandering to others who want a certain result.

To be honest, I feel this issue is being beaten to death. It seems there is a fear of simply describing what occurred.

On Thu, Nov 18, 2021 at 8:27 PM Nancy Popp <npopp@peoplescollegeoflaw.edu> wrote:

Per your request, Scott:

PCL Bylaws 5/22/2017

#### SECTION 9.2

"Open nominations will be held throughout the month of October."

*Since the Bylaws state that nominations can be accepted throughout the month of October, this is an indication that Todd's self-nomination on October 4th would be acceptable.*

9.2.e "Elections are held no later than the last day of November."

*The 2021 Election was held October 8th- 15th. In other words, there was no rush and extensions were allowable under the Bylaws.*

9.6a "The Community Board will appoint an Election Committee to supervise any regular or special election...it must have an odd number of members."

*Scott, you argue we had four members on the EC- yourself, Hector, me and Pascual. There should only be 3 or an odd number. Therefore, one member would not be officially part of the committee, or at minimum, a non-voting member. Since both Scott and myself voiced our active participation, that would mean either Hector or Pascual would be the unofficial or non-voting member.*

9.8 Election Protests or Appeals

9.8.a. "Any affected member may protest...the eligibility of a candidate...shall be made by complaint in writing to the respective Election Committee...prior to, during or within 10 days of the election."

9.8.b "The committee shall consider/investigate the complaint and attempt to resolve the protest or come to a decision within 10 days after receipt of the complaint."

9.8.c. "All appeals must set forth the exact nature and specifications of the complaint and how the alleged infractions affected the outcome of the election."

*No such complaint in writing was received, only an email inquiring to the timing of existence of Todd's nomination after the fact. Since there was no formal complaint that laid out the exact nature and specifications of an infraction, the Election Committee overstepped in reversing an earlier decision to accept Todd's nomination/statement. The October 17th meeting was not an 'emergency' meeting as no formal complaint was filed; even if there was a formal complaint, the Committee had 10 days to meet to discuss.*

9.8.d "All elected board members and officers shall resume their duties and responsibilities after their respective election regardless of whether the election has been protested. They will remain in their respective office under their terms expire or until newly elected Board Members are elected as a result of an ordered rerun election or a decision on complaint or appeal by the Election Committee or Community Board."

*Todd is allowed to continue on the Board for the duration of his term. Since there has been no formal complaint or appeal by either Hector or Todd, only an email inquiry by Hector, the election has not been formally challenged.*

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Nancy Popp

People's College of Law, 2L ('24)



**Election Committee Report\_POPP v3.docx**

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EXHIBIT 8

## **Exhibit 8: Timeline of Events and Party Interactions in *Hill v. Board of Directors et al.***

### **Timeline and Narrative of Events:**

#### **Fall 2019**

- **Todd Hill Enrollment:** Todd Hill enrolls at Peoples College of Law (PCL).

#### **June 2020**

- **FYLSX Examination:** Hill passes the First-Year Law Students' Examination (FYLSX) but receives transcripts with errors.
- **Certification Delay:** PCL fails to submit Hill's FYLSX certification and transcript to the State Bar by the deadline.
- **State Bar Letter:** The State Bar sends a letter to PCL regarding Hill's FYLSX certification, highlighting the missing documents and the importance of timely submission.

#### **May 2021**

- **Email Exchange on Tuition:** Kevin Clinton, a PCL student, emails the Executive Committee about tuition payment and the committee's authority.
- **Response from Gonzalez:** Christina Gonzalez, President of PCL, responds, defending the Executive Committee's actions.
- **Clarification from Spiro:** Ira Spiro, Dean of PCL, clarifies PCL's policy on tuition payment and suggests changes to the student handbook.



## June 2021

- **State Bar Inspection:** The State Bar conducts a periodic inspection of PCL and identifies several areas of non-compliance.
- **June 15, 2021**
  - **Nancy Popp Grievance:** Nancy Popp, a 1L student at PCL, submits a formal grievance to the PCL Board of Directors. Her complaint highlights issues such as inaccurate grading, lack of transparency in governance, and inconsistent instruction, emphasizing failures to comply with the California State Bar's Guidelines for Unaccredited Law Schools.
- **June 18, 2021**
  - **CBE Review of PCL's Progress Report:** The Committee of Bar Examiners (CBE) reviews a progress report from PCL documenting significant progress in addressing recommendations from a January 2020 inspection but notes remaining issues, including the need to purchase a hard-copy library and implement a faculty evaluation policy.

## July 14, 2021

- **Ira Spiro's Resignation:** Ira Spiro resigns as Dean of PCL, effective August 13, 2021, expressing uncertainty about his resignation from the Executive Committee.
- **Todd Hill's Inquiry to State Bar:** Todd Hill emails Natalie Leonard at the State Bar, inquiring about the requirements for the new Dean position. Leonard responds that a J.D. degree is not mandatory but emphasizes the importance of meeting all requirements due to the Dean's responsibilities.

**August 2, 2021**

- **State Bar Instructions on Transcript Changes:** Ira Spiro informs the PCL Board that the State Bar instructed him not to change the unit allocations in any transcripts as it would be a retroactive change, not permitted without approval from the Committee of Bar Examiners.

**August 3, 2021**

- **Spiro's Email to Leonard:** Spiro confirms his conversation with Natalie Leonard regarding the unit issue. Leonard advises against sending a communication explaining PCL's designation of quarter courses as 2 units instead of 3.
- **Hill's Email to Leonard:** Todd Hill requests clarification on several issues, including the calculation of units for quarter courses and the process for petitioning for guideline deviations.
- **Spiro's Warning to Hill:** Spiro emails Hill, stating that Hill's communication with the State Bar was not an official PCL communication and advises Hill to refrain from such communications without board authorization.

**August 5, 2021**

- **Hill's Follow-Up Email:** Todd Hill clarifies that his previous communication was an official one from a PCL Board Member and requests information about research fees and the possibility of obtaining the requested information through a Public Records Act request.

- **Pena's Request:** Hector Pena asks to be removed from future correspondence between Hill and Leonard.

**August 15, 2021**

- **Appointment of Interim Dean:** The PCL Board of Directors votes to appoint Juan Manuel Sariñana as Interim Dean.

**August 17, 2021**

- **Announcement of Interim Dean:** Christina Gonzalez, Chair/President of PCL, announces the appointment of Juan Manuel Sariñana as Interim Dean and provides information about the 2021-2022 academic calendar, course schedule, and a flowchart explaining the First-Year Law Students' Exam (FYLSX).

**August 12, 2021**

- **Committee Formation:** Brian Godfrey texts Scott Bell requesting Bell serve on the 2021 Election Committee (EC).

**August 15, 2021**

- **EC Members Named:** Bell attends the PCL Board Meeting and is given the names Nancy Popp, Hector Sanchez, and Pascual Torres as members of the EC.

**August 17, 2021**

- **EC Formation Email:** Bell emails Popp, Sanchez, and Torres to form the committee, stating the need for at least three members and an odd number. Popp confirms participation on August 18, 2021. Sanchez and Torres request a meeting on August 21, 2021, which is scheduled for September 3, 2021.

**September 3, 2021**

- **Initial EC Meeting:** Bell and Popp meet as scheduled; Sanchez and Torres do not attend. Bell and Popp lay out an election timeline, and Bell agrees to update the Notice of Election, send it by email, and create a ballot. Popp takes notes and emails them to all parties.

**September 4, 2021**

- **Apology for Missed Meeting:** Sanchez emails apologizing for missing the September 3 meeting. Torres does not respond.

**September 11, 2021**

- **Updated Notice of Election:** Bell emails the updated Notice of Election to all parties for review. Torres replies with edits the same day; Sanchez and Popp respond the following day.

**September 12, 2021**

- **Election Notice Sent:** Bell emails the Election Notice to the PCL Community from a list provided by Magda Madrigal.

**September 14-15, 2021**

- **Notification of Missing 1L Emails:** Bell is informed by Brian Godfrey that current 1Ls did not receive the Election Notice. Hector Peña provides a list of current 1L contact information.

**September 21, 2021**

- **Election Notice to 1Ls:** Bell emails the Election Notice to the current PCL 1L class per Peña's request.

**September 26, 2021**

- **Candidate Nominees List:** Bell emails Popp, Sanchez, and Torres a list of PCL Board Candidate nominees.

**September 28, 2021**

- **Extension Request:** Interim Dean Juan Flores requests an extension for Board Nominations/Statements from the 1L class, followed by a request from 1L Juan Flores.

**September 29, 2021**

- **Extension Confirmation:** Bell emails Popp, Sanchez, and Torres the extension request. All three confirm the extension from September 26 to October 3, 2021.

**September 30, 2021**

- **Extension Notification:** Bell emails all affected nominees, granting a deadline extension for Statements to October 3, 2021, at 6 pm PST.

**October 4, 2021**

- **Late Submission from Hill:** Bell receives an email from Todd Hill asking if he can still send a candidate statement. Bell forwards the email to the committee for objection. Hill sends a self-nomination and candidate statement later that day.

**October 5, 2021**

- **Acceptance of Late Submission:** Bell, Popp, and Sanchez vote to accept Hill's late submission. Torres objects.

**October 8, 2021**

- **Ballots Sent:** Bell sends the PCL Board Election ballot via email; voting ends October 15, 2021.

**October 15, 2021**

- **Election Results:** Bell emails PCL Election results to the Community.

**October 16, 2021**

- **Legitimacy Questioned:** Bell receives an email from Hector Peña questioning the legitimacy of Hill's nomination. Bell responds with dates of Hill's nomination/statement email, CC'ing Popp, Hill, Sanchez, and Torres. Peña requests to bring the matter before

the PCL Board. Hill responds, citing a conflict of interest. A conflictual email exchange follows.

**October 17, 2021**

- **Emergency EC Meeting:** Bell requests an 'Emergency' Meeting of the EC via email to Popp, Sanchez, Torres. Sanchez, Torres, and Bell meet and vote to disqualify Hill's nomination and statement as 'untimely'. Bell attends part of the PCL Board Meeting to report the EC's decision. Popp contacts Bell, questioning the meeting's legitimacy and requests rescheduling.

**October 28, 2021**

- **Draft EC Report:** Bell submits an initial draft of the EC Report. Popp raises concerns about the report's content, the status of Torres as a voting member, and Peña's inquiry as a Formal Complaint.

**October 30, 2021**

- **Report Discussions:** Email discussions continue between Bell, Popp, Sanchez, and Torres on how to report the EC's actions. Bell suggests deeming the election invalid and holding another election.

**November 16, 2021**

- **Continued Discussions:** Email discussions continue over the report's content, with revisions from Popp not fully included by Bell.

**November 20, 2021**

- **Election Committee Report:** The final EC report is submitted, signed by Nancy Popp. The report highlights the disagreements on the EC's actions, the validity of the October 17 meeting, and the potential violations of PCL

**November 2021:**

- PCL Board meeting is held without Hill's participation, and new board members are elected.
- Hill receives an email from Kevin Clinton with newly proposed "retroactive rules" that discourage complaining to the State Bar.
- Hill sends an email to Spiro, Ching, and the Office of General Counsel (OGC) at the State Bar, alerting them to the perceived problems with the new policy.
- Hill issues a request for the removal of Gonzalez's derogatory letter and a non-spoliation notice to PCL.
- Hill sends an email to multiple parties, including State Bar staff and PCL administrators, discussing the ongoing issues and the school's non-compliance.
- Spiro responds to Hill's email, questioning his allegations and defending PCL's actions.
- Hill reiterates his concerns about PCL's non-compliance and the State Bar's inaction.
- Hill sends a final demand letter to PCL's President and Treasurer, requesting access to documents and alleging a breach of fiduciary duty.

**December 2021:**



- Ching, acting in her official capacity, informs Hill that the State Bar cannot intervene in his dispute with PCL due to their non-interference policy.

**January 2022:**

- Hill makes a tuition payment, but Populi, PCL's student information system, still reflects incorrect information.
- Hill requests an accounting, validation notice, and assurances from PCL, but his request goes unanswered.

**April 2022:**

- Hill emails Spiro about alleged overcharges and requests clarification.
- Spiro appears in court on behalf of himself and Pena, but not the corporate entity in a TRO case filed by Hill. The case is dismissed without prejudice. Spiro requests attorney's fees and fees are awarded.

**June 2022:**

- Spiro sends a letter to the State Bar claiming that PCL is "more than 90% in compliance" with the mandatory recommendations in the inspection report.
- The State Bar acknowledges in a published letter that they were aware of PCL's non-compliance since 2020.
- Spiro sends an email to all PCL defendants, excluding Gonzalez, requesting that Hill direct all communications related to the matter to him.

- PCL, through Spiro, sends notice to Hill of their intent not to provide classes or curriculum for his 4L year.

**July 2022:**

- The State Bar issues a Notice of Noncompliance to PCL, citing 18 areas of non-compliance with its rules and guidelines.
- Hill requests PCL to apply for a "Special Circumstance Exemption" under GULSR Section 5.6, allowing a maximum of 10% of 4L students to be exempted for "unusual circumstances."
- Hill receives a coverage denial letter from ANV, PCL's insurance provider, for his claims against the school.

**August 2022:**

- Hill requests PCL to apply for a "Special Circumstance Exemption" to allow for grant of his degree.
- Hill receives a coverage denial letter from ANV, PCL's insurance provider, for his claims against the school.
- The State Bar denies Hill's request for exemption, stating that he needs to complete an additional year of study at a recognized law school.

**September 2022:**

- PCL sends Hill a new student handbook and a solicitation for a tuition payment agreement for his 4L year.

- Spiro and Leonard suggest that Hill change the status of past courses from credit to audit, which Hill believes is a violation of State Bar guidelines.
- Hill submits a request for an antitrust determination to the State Bar.
- PCL submits Hill's transcript to the State Bar for evaluation.

**November 2022:**

- Hill participates in a State Bar Audit Committee meeting and a Board of Trustees meeting, raising concerns about PCL's non-compliance and the State Bar's policies.

**December 2022:**

- Hill sends an email to multiple parties at the State Bar, including a request for antitrust determination and supporting documents.
- The Committee of Bar Examiners places PCL on probation and orders the school to provide monthly progress reports.
- Hill files a Government Claims Act Form. He never receives a response.

**January 2023:**

- The State Bar sends Hill an unsigned antitrust determination.
- Hill participates in a recorded "Ad Hoc Committee Meeting" with State Bar officials to discuss his concerns.

**February 2023:**

- Hill sends a notice of ongoing violations of California Business and Professions Code sections 17200 and 17500 to State Bar officials.

- The State Bar sends a second non-compliant response to Hill's antitrust determination request.
- State Bar staff meet with PCL to discuss compliance issues, but PCL fails to provide all requested information.

**March 2023:**

- PCL sends a response to outstanding CBE questions, admitting non-compliance with Rule 4.241 and promising to issue refunds to affected students.
- The State Bar releases a probationary progress report on PCL.
- The Committee of Bar Examiners receives and files PCL's progress reports but finds them incomplete and directs the school to take further action.

**April 2023:**

- The Committee of Bar Examiners reviews PCL's progress reports and again directs the school to address outstanding compliance issues, particularly regarding disclosures and refunds.

**May 2023:**

- May 5: Hill sends copy of SFAC to Spiro. Hill meets with Spiro.
- Hill files the Supplemental First Amended Complaint for Damages, Declaratory & Injunctive Relief.
- PCL files a timely but materially incomplete progress report.
- State Bar staff provides a detailed list of omissions in PCL's progress report.

- Spiro files an opposition claiming that Hill failed to attempt to confer prior to filing the SFAC. Case is dismissed sua sponte. Hill notifies court of the alleged misrepresentations.

**June 2023:**

- PCL files a progress report that addresses more of the identified issues but still lacks specific timelines for compliance.
- PCL requests an extension of its waiver to teach classes online due to the pandemic emergency.
- PCL submits a major change request regarding the sale of its building and relocation to a new space.
- The Committee of Bar Examiners denies the waiver request and asks for more information on the major change request.
- May 21, 2023: Spiro files a motion and declaration containing statements that appears designed to mislead the Court, as it indicates, incorrectly, that Spiro “was not served” and never “discussed” a motion to file a supplemental complaint (at Docket #44); the Court orders an amended complaint sua sponte in part based on the erroneous statements.

**July 2023:**

- July 8: Hill emails Aramayo inquiring about his degree and refund.
- Aramayo responds evasively, claiming that Hill destroyed a previously issued check and that the school is a four-year institution.
- July 26: Hill refutes Aramayo's claims and reiterates his demands for a degree and a refund.

**August 2023:**

- **August 1:** Deadline for PCL to complete all outstanding requests and compliance actions, as per the State Bar's June 2023 order.
- August 18: The Committee of Bar Examiners meets to discuss PCL's probation progress report and directs the school to update its compliance status, conduct a transcript analysis, and provide details on its space plans..
- The committee directs PCL to update its compliance status, conduct a transcript analysis, and provide details on its space plans.
- August 24: Todd Hill, a graduate of People's College of Law, submitted a public comment and supporting documents to the California State Bar, alleging discriminatory practices in the administration of the First-Year Law Students' Examination (FYLSE) and the State Bar's failure to regulate unaccredited law schools. He highlighted the disproportionately high attrition rates among Black and Latino test-takers and accused the State Bar of perpetuating systemic inequities. The State Bar acknowledged receipt of the comment and indicated it would be reviewed by the Committee of Bar Examiners.
- **August 25:** ANV Global Services, Inc. sends a final denial letter to Hill, stating that there is no coverage for his claims under the Policy.
- **August 28:** The State Bar sends a letter to PCL outlining the actions taken by the Committee of Bar Examiners at its August 2023 meeting, including the directive to conduct a transcript analysis and update space plans.

**September 2023:**

- **September 1:** Hill emails Aramayo again, requesting a meeting with the treasurer to review the accounting and outstanding funds.
- **September 21:** Hill emails Aramayo with two questions: When will his degree be granted, and when will his refund be processed?
- **September 25:** Hill sends an email to Aramayo and the State Bar, expressing his dissatisfaction with Aramayo's response and reiterating his demands for a degree and a refund.
- **September 26:** Aramayo responds, claiming that Hill destroyed a previously issued check and that PCL is a four-year institution. Hill refutes these claims and asserts that PCL has not offered a good faith cure or remedy for its compliance failures.
- **September 27:** Hill forwards the email exchange with Aramayo to multiple parties, including the State Bar, the FBI, and the Department of Justice.

**October 2023:**

- **October 13:** The Committee of Bar Examiners meets to discuss PCL's September and October progress reports and directs the school to continue its transcript analysis, update its space plans, and cooperate with the inspection team.
- **October 20:** The State Bar sends a letter to Interim Dean Ana Maria Lobos, outlining the actions taken by the Committee of Bar Examiners at its October 2023 meeting.

**May 2024**

**May 31:** PCL degree grant authority is revoked.

**August 2024**

- **August 8:** State Bar reports that Hector Pena will be the Custodian of record for PCL.

Todd files public comments in opposition and requests support in filing a complaint from the State Bar's Public Trust Liaison Office. His requests in the context remain unanswered.

- **August 13:** Mr. Hill sends another Government Claims Act Form to the State Bar Secretary.